



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1189

Date Filmed 7/24/80 Camera No. --- 2

Cameraman SPC

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PS Form 3811, July 1978

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ **RESTRICTED DELIVERY**
Show to whom and date delivered.
☐ **RESTRICTED DELIVERY**
Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
Mr. Hal Wick, Chairman
Rural Route 4
Box 133
Falls, S.A. 57101

3. **ARTICLE DESCRIPTION:**
REGISTERED NO. CERTIFIED NO. INSURED NO.
06553

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☒ Authorized agent
Gene Wick

4. **DATE OF DELIVERY:** 7-5-80 **POSTMARK:** B.W. Ky

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:** **CLERK'S INITIALS**

Weeder MUR 1189

★ 490: 1070-572-000



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 1, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harold Himmelman, Esq.
BEVERIDGE, FAIRBANKS & DIAMOND
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1189

Dear Mr. Himmelman:

On June 24, 1980, the Commission found reason to believe that the McGovern for Congress Committee ("the Committee") violated 2 U.S.C. § 435(b) and § 441d, prior the 1979 Amendments (P.L. 96-187). Specifically, your client failed to include language required by these provisions on an eight page letter soliciting contributions on behalf of Senator McGovern's re-election.

However, after considering the circumstances that (a) the omission of language was due to an error by the preparer of the letter rather than on the part of the Committee, (b) the disclaimer required by section 435(b) appeared on a pledge card which accompanied the eight page letter, (c) the solicitation as a whole disclosed the critical information, and (d) the recently implemented Public Law 96-187 deletes section 435(b), the Commission has determined to take no further action and to close its file regarding this matter. The Commission reminds you that failing to include required language on solicitations is nevertheless in violation of the Act and your client should take immediate steps to insure that this activity does not occur in the future.

This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days. If you have any questions, please direct them to Carolyn Weeder at (202) 523-4529.

Sincerely,

Max L. Friedersdorf

Max L. Friedersdorf
Chairman

90040201531



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 30, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Hal Wick, Chairman
Rural Route 4
Box 133
Sioux Falls, South Dakota 57101

Re: MUR 1189

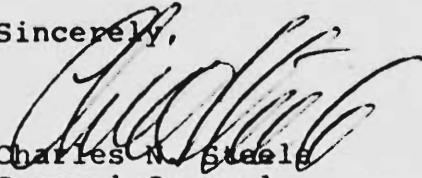
Dear Mr. Wick:

This is in reference to the complaint you filed with the Commission on March 5, 1980 concerning the McGovern for Senate Committee's possible violations of 2 U.S.C. § 435(b) and § 441d by failing to include required language on a solicitation.

After conducting an investigation in this matter, the Commission determined there was reason to believe that the McGovern for Senate Committee ("the Committee") violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances that (a) the omission of language was due to an error by the preparer of the letter rather than on the part of the Committee, (b) the disclaimer required by section 435(b) appeared on a pledge card which accompanied the eight page letter, (c) the solicitation as a whole disclosed the critical information, and (d) the recently implemented Public Law 96-187 deletes section 435(b), the Commission has determined to take no further action. Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact Carolyn Weeder, the staff member assigned to this matter at (202) 523-4529. This matter will be made part of the public record within 30 days.

Sincerely,


Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Hal Wick, Chairman
Rural Route 4
Box 133
Sioux Falls, South Dakota 57101

Re: MUR 1189

Dear Mr. Wick:

This is in reference to the complaint you filed with the Commission on March 5, 1980 concerning the McGovern for Senate Committee's possible violations of 2 U.S.C. § 435(b) and § 441d by failing to include required language on a solicitation.

After conducting an investigation in this matter, the Commission determined there was reason to believe that the McGovern for Senate Committee ("the Committee") violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances that (a) the omission of language was due to an error by the preparer of the letter rather than on the part of the Committee, (b) the disclaimer required by section 435(b) appeared on a pledge card which accompanied the eight page letter, (c) the solicitation as a whole disclosed the critical information, and (d) the recently implemented Public Law 96-187 deletes section 435(b), the Commission has determined to take no further action. Accordingly, the Commission has decided to close the file in this matter.

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Sincerely,

Charles N. Steele
General Counsel

A handwritten signature, likely of Charles N. Steele, is located in the bottom right corner of the letter. The signature is written in ink and is somewhat stylized.

80040201533

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
McGovern for Senate Committee)

MUR 1189

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission's executive session on June 24, 1980, do hereby certify that the Commission decided by a vote of 4-2 to take the following actions in MUR 1189:

1. Find reason to believe that the McGovern for Senate Committee violated 2 U.S.C. §435(b) by failing to include the required disclaimer on a solicitation, but to take no further action.
2. Find reason to believe that the McGovern for Senate Committee violated 2 U.S.C. §441d by failing to include a statement of authorization/non-authorization by the candidate endorsed, but to take no further action.
3. Approve and send the letter to the McGovern for Senate Committee and to the People for an Alternative to McGovern Committee, as submitted with the General Counsel's June 16, 1980 report.
4. Close the file on this matter.

Commissioners Harris, McGarry, Reiche, and Tiernan voted affirmatively for the decision; Commissioners Aikens and Friedersdorf dissented.

Attest:

6/25/80

Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

80040201534



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: JUNE 18, 1980
SUBJECT: OBJECTION -
MUR 1189 - First General Counsel's Report
dated 6-16-80; Received in OCS 6-16-80, 12:00

The above-named document was circulated on a 48
hour vote basis at 4:00, June 16, 1980.

Commissioner Friedersdorf submitted an objection at
2:08, June 18, 1980.

This matter will be placed on the Executive Session
Agenda for Tuesday, June 24, 1980.

Also, attached is a copy of Commissioner Aikens' vote
sheet on which she cast a negative vote and made a comment.

ATTACHMENT:
Copy of Vote Sheet (Aikens')

15
1
5
1
0
2
0
0
0
0
8



RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
FEDERAL ELECTION COMMISSION

13288 JUN 17 WP 3:45
WASHINGTON, D.C. 20463

Date and Time Transmitted: MONDAY, 6-16-80
4:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, MCGARRY, REICHE, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: WEDNESDAY, 6-18-80
4:00

MUR No. 1189 - First General Counsel's Report dated 6-16-80

() I approve the recommendation A

() I object to the recommendation

COMMENTS: Voting "No" - Not to be placed on agenda

Date: 6-17-80

Signature: J. Liberman

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.



June 16, 1980

MEMORANDUM TO: Marjotte W. Emmons
FROM: Elissa T. GARR
SUBJECT: MUR 1189

Please have the attached First GC Report distributed
to the Commission on a 48 hour tally basis. Thank you.

30040201537

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

80 JUN 16 P12: 00

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL JUN 16 1980
BY OGC TO THE COMMISSION

MUR # 1189
DATE COMPLAINT RECIEVED
BY OGC March 19, 1980

STAFF MEMBER _____

Carolyn Weeder

COMPLAINANT'S NAME: Hal Wick, Chairman; People for an Alternative
to McGovern

RESPONDENT'S NAME: McGovern for Senate Committee

RELEVANT STATUTE: 2 U.S.C. § 435(b)
2 U.S.C. § 441d

INTERNAL REPORTS CHECKED: McGovern for Senate Committee FEC Reports

FEDERAL AGENCIES CHECKED: N/A

SUMMARY OF ALLEGATIONS

On March 5, 1980, the People for an Alternative to McGovern filed a complaint alleging that the McGovern for Senate Committee (the "McGovern Committee") violated 2 U.S.C. § 435(b) and 2 U.S.C. § 441d by failing to include mandatory language on a solicitation. 1/

The Commission notified the McGovern Committee of the complaint made against it. The McGovern Committee submitted its response to the allegations on April 14, 1980.

FACTUAL AND LEGAL ANALYSIS

Complainant alleges that an eight page letter distributed by the Committee failed to include the specific language required by 2 U.S.C. § 435(b) and § 441d. Prior to the 1979 Amendments, the

1/ Although the recently implemented Public Law 96-187 deletes 2 U.S.C. § 435(b) and amends 2 U.S.C. § 441d, the alleged violation occurred prior to its effective date.

Federal Election Campaign Act ("the Act") required that a disclaimer appear on the face or front page of all solicitations. The disclaimer states that the sponsoring committee's reports are available to the public at the Commission. Additionally, 2 U.S.C. § 441d required, prior to the 1979 Amendments, that all solicitations expressly advocating the election of a clearly identified candidate include a statement of authorization/non-authorization by the candidate(s) endorsed.

The letter in question is a direct mail solicitation which endorses the re-election of Senator McGovern. It contains the language "please mail the most generous amount you can today" and clearly identifies Senator McGovern as the candidate. 2/ The letter is therefore subject to the requirements of 2 U.S.C. § 435(b) and § 441d.

The McGovern Committee failed to include the language required by both provisions on the eight page solicitation. However, the following mitigating circumstances should be taken into consideration.

First, the omission of the language was due to an error by the preparer of the letter rather than on the part of the Committee. The Committee had given Parker/Dodd Associates, the firm contracted for the preparation of the solicitation, specific instructions as to the requirements of the direct mail solicitations. Parker/Dodd Associates of San Francisco prepared the solicitations in November 1979 and forwarded them to Ace-Parker of Miami. This company printed and mailed the solicitations the first week of December, 1979. Consequently, the Committee did not have an opportunity to inspect the final copy prior to its distribution. Thus, the Committee relied in good faith that the preparer had followed all given instructions.

An exhibit submitted by respondent demonstrates that it is the Committee's standard practice to include the required language on its solicitations. A direct mail letter from Gloria Steinem soliciting funds for the Committee clearly contains the disclaimer and notice of authorization on its front page. Parker/Dodd Associates prepared this mailing at the same time as the letter in question. Richard Parker of Parker/Dodd Associates clearly states in a letter submitted by the Committee that the omission was due to error on the part of Parker/Dodd. 3/

2/ See page 10 of Attachment 1.

3/ See page 6 of Attachment 2.

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Second, the preparer included the disclaimer required by 2 U.S.C. § 435(b) on a pledge card which accompanied the eight page letter. 4/ In that both the pledge card and the letter compose the solicitation "packet," any potential contributor receiving the packet would infer that one committee is sponsoring the entire mailing. This inference supports a third mitigating factor.

Although the solicitation failed to include the language specified by sections 435(b) and 441d, the language which did appear nevertheless fulfilled the intent of both provisions. As the legislative history reveals, the intent of including provision 435(b) was to maximize public disclosure regarding the soliciting committee and the disbursement of solicited contributions. The Report of the Senate Committee on Rules and Administration on S.382 states that this provision was formulated to "furnish maximum information to the public concerning campaign contributions and expenditures" and "to protect potential contributors and to encourage full participation by grassroots contributors in the policies and programs enunciated by national political action committees by insuring full knowledge of how individual contributions are spent" (page 62). Additionally, the purpose of section 441d is to disclose whether the candidate(s) being endorsed consented to the solicitation.

The solicitation in question fulfills the informational purpose of both provisions. The pledge card and the business reply envelope which accompany the letter clearly reveal that the McGovern for Senate Committee is the sponsor of the solicitation packet. Further, the use of the Senator's stationery and his signature on the letter clearly reveal that the Senator authorized and consented to the solicitation. 5/ Thus, although the specific language is lacking, the solicitation nevertheless fulfills the intent of both provisions. The treasurer of the Committee emphasizes this point in his response: "It is hard to imagine how the intent of the law that voters have adequate notice of the source of campaign literature could possibly be violated under the circumstances." 6/ In that the solicitation disclosed the critical information, the effect of the omission of specific language is de minimis.

That the 1979 Amendments deleted 2 U.S.C. § 435(b) is a fourth mitigating factor. Presently in place of the former specific disclaimer, a general statement as to who paid for the solicitation and whether it was authorized by a candidate is sufficient. Thus,

4/ See page 11 of Attachment 1.

5/ See page 10 of Attachment 1 and page 11 of Attachment 2.

6/ See page 4 of Attachment 2.

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the letter in question is not in violation of 2 U.S.C. § 435(b) at the present date as the 1979 Amendments to the Act deleted this section.

Additionally, it should be noted that the McGovern Committee has stated numerous times that it will make every effort to insure compliance and is taking all reasonable steps to assure that no further mistakes occur.

For the reasons presented above, the Office of General Counsel recommends finding reason to believe that the McGovern for Senate Committee violated 2 U.S.C. § 435(b) and § 441d by failing to include required language, but to take no further action. In addition, this Office recommends that the Commission approve and send the attached letter and notification of reason to believe finding, and close the file on this matter.

RECOMMENDATIONS

1. Find reason to believe that the McGovern for Senate Committee violated 2 U.S.C. § 435(b) by failing to include the required disclaimer on a solicitation, but to take no further action.

2. Find reason to believe that the McGovern for Senate Committee violated 2 U.S.C. § 441d by failing to include a statement of authorization/non-authorization by the candidate endorsed, but to take no further action.

3. Approve and send the attached letters to the McGovern for Senate Committee and to the People for an Alternative to McGovern Committee.

4. Close the file on this matter.

Attachments

1. Complaint
2. Respondent's Submission
3. Letter to respondent
4. Letter to complainant

80040201511

PFAAM

PEOPLE FOR AN ALTERNATIVE TO McGOVERN

P.O. Box 1865

Sioux Falls, South Dakota 57101

March 5, 1980

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

806977

Dear Commissioners:

This letter constitutes a complaint, filed with you, by the People for an Alternative to McGovern Committee, in accordance with Section 309 of the Federal Election Campaign Act of 1971, as last amended by P.L. 96-187, Act of January 8, 1980, effective January 8, 1980 (hereinafter "the Act"). All citations and references herein are to the Act, as amended.

Attached hereto is a copy of an undated, eight-page letter, prepared on the letterhead of "Senator George McGovern," which bears, upon information and belief, the signature of Senator McGovern on page eight. It will be noted that, among other things, the letter solicits contributions to the McGovern for Senate Committee. Upon information and belief, the attached letter was issued in conjunction with a direct mail program. A copy of a carrier envelope, addressed to J. H. Wenner of Camp Hill, Pennsylvania, is also attached. Enclosed with the letter was a business reply envelope and contributor card, copies of which are enclosed.

It will be noted the letter does not contain a notice as required by Section 318(a) of the Act, or as required by the Act prior to its amendment. See, 2 U.S.C. 435(b) and 2 U.S.C. 441d.

Your attention to this matter will be appreciated.
Respectfully submitted,

Sincerely,

Hal Wick
Chairman

Sworn to before me this
day of March 1980.

Bea M. Nielson
Notary Public

BEA M. NIELSON, Notary Public
My Commission Expires
January 22, 1981

Rural Route 4
Box 133

Sioux Falls

57101
(605) 528-3260

Attachment 1

80040201542

Senator George McGovern
WASHINGTON, D.C.



J. H. WENNER
1208 YVERDON DRIVE
CAMP HILL, PA

17011

80040201513

My dear friend:

The 1980's, I am now deeply convinced, will be a turning point in American history -- comparable in magnitude to the Civil War of the 1860's and the Great Depression and New Deal of the 1930's.

America will face awesome opportunities and profound dangers that have no parallel in the past.

I am eager to be part of it -- to help our nation seize the opportunities and avoid the dangers.

To accomplish this, I will need your help once again, for reasons I will explain at the end of this letter.

But first I would like to ask a few minutes of your time to consider along with me exactly what I am talking about. Then I think you will agree with me at least on the critical importance of the years just ahead.

The opportunity at hand is to achieve in the 1980's what Barry Commoner calls "the solar transition" -- to free our nation from dependency on OPEC oil.

A recent study by the Harvard Business School entitled, "Our Energy Future," concludes that a carefully constructed, energy efficient conservation movement could save the equivalent of all the oil we are now importing from OPEC. Such a conservation effort would include the construction of energy efficient railways and urban transit; the insulation of our houses, public buildings and commercial structures; energy conserving practices in our factories, shops and office buildings; the co-generation of power and a host of other energy efficient and conserving techniques.

Beyond this, the Harvard study points to the challenging and practical applications of solar power to meet from one-fifth to one-fourth of our energy requirements.

I believe that thoughtful analysis such as the Harvard study and Barry Commoner's work points the way to a dependable, clean, workable energy future for the United States.

Unless we can find answers not now available to us as to how nuclear energy can be safely produced and its waste safely disposed of, I do not believe that we can pursue the nuclear rainbow. The risk in human lives and suffering is too great. The financial costs also seem to be violating any reasonable benefit-cost ratio.

(over, please)

It doesn't matter whether the near-catastrophe at Three Mile Island was due to human failure, mechanical failure, or sabotage. The point is that avoiding a nuclear power plant disaster requires three kinds of total perfection in an imperfect world -- human perfection, mechanical perfection, and perfect security. That is virtually impossible as matters now stand.

U.S. nuclear power plants reported 2,835 "incidents" in 1978. Many were similar to the malfunctions encountered at Three Mile Island.

Now we see the President making a similar mistake in his expensive reliance on synthetic fuels from coal, oil shale, and tar sands. Its development would consume a large part of the \$88 billion investment of the President's proposed Energy Security Corporation. It would require ripping open and chewing up vast areas of public land, polluting the air, consuming huge quantities of our precious water -- and the cost of the resulting fuel is likely to be higher than the cost of the OPEC oil we are trying to get along without. The big gainers from synthetic fuels will be the oil companies who are acquiring the coal resources from which the product is made.

Of course we've got to have energy. But I most emphatically do not agree that we either should or need to resort to such desperation measures to provide it. The blunt truth is that America does not have a shortage of energy. It has a shortage of leadership.

Each year the sun beams to our planet earth, 28,000 times more solar energy than all the commercial energy used by mankind.

And we already possess the technology to make substantially more use of this endless resupply of clean, renewable energy within the next five years than we are currently planning.

The President's new energy program calls for an estimated increase of just 2% over existing solar programs by the year 2000. But look at just part of the dazzling embarrassment of riches in renewable energy technology waiting to be developed right now by a substantial common sense program.

PHOTOVOLTAIC CELLS. This is probably the simplest and potentially the cheapest form of solar energy. Sunlight striking the cell is converted directly into electricity.

Right now the problem is cost -- about \$15 per watt, compared to 50¢ to \$1.20 for conventional power plants.

But an extraordinary government study pointed to the solution. It showed that if the Pentagon would invest just \$500 million to replace its smaller gasoline generators with photovoltaic cells, on a strict cost-benefit basis, it would start a mass production/mass use cycle that could bring the cost down

(next page, please)

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- 3 -

to 50¢ a watt in just 5 years. This would make it possible to produce 500,000 megawatts of power -- over 10 times as much as our presently operating nuclear power plants -- at competitive rates.

But Congress proposed an investment of only \$98 million, even that over Administration opposition -- and then the President vetoes even that much! "It is still too early," he said, "to concentrate on commercialization of photovoltaics."

WIND GENERATORS. An inventor in Allentown, Pennsylvania has developed a simple, low-cost wind turbine that has more capacity, at 60¢ a watt, than NASA's recently completed windmill at Clayton, New Mexico. And William Heronemus and his associates at the University of Massachusetts have designed offshore wind-power generators that could produce the equal of 80 nuclear power plants, more than enough to supply all of New England with power.

UNDERSEA TURBINES. The Gulf Stream contains 50 times as much energy as all the rivers of the world put together. Now an inventor has designed a system of giant undersea Gulf Stream turbines that could be built for less per watt than new coal or nuclear plants and far more quickly. Just 230 of these turbines could produce enough to supply the entire state of Florida, the equal of 10 nuclear power plants.

WATER POWER. Our country has hundreds of smaller dams which either were never harnessed or whose turbines were abandoned when other forms of power were developed. The Federal Power Commission estimates that 54,000 megawatts -- more power than we now get from all our nuclear reactors -- could be harnessed at dams that already exist but do not have turbines.

ALCOHOL. Alcohol can be distilled by fermenting almost any organic product or byproduct -- waste wood, food plant wastes, garbage, grain, sorghum cane, etc.

During the recent gasoline shortage, the whole nation suddenly became conscious of gasohol, a mixture of 90% gasoline and 10% alcohol.

But with minor modifications, gasoline engines can burn pure alcohol -- with no pollution of the atmosphere. And by determined national effort, we could replace gasoline from OPEC oil with pure alcohol in our automobiles in the foreseeable future.

Last year the United States consumed 182 billion gallons of gasoline, of which about one-half was from imported oil. A Purdue scientist has developed a way to convert plant matter into glucose, the raw materials for ethanol. He says this would make it possible to turn the nation's annual one billion tons of waste into 375 million tons of fuel grade alcohol -- that's over 90 billion gallons -- at a retail cost of about 80¢ a gallon!

(over, please)

Page 5

A farmer-scientist in Minnesota, using a homemade solar-heat distillery, turned 45,000 bushels of surplus corn into 225,000 gallons of alcohol. And the leftover fermented mash which was fed to livestock is more nutritious than the corn from which it was made.

Using his technology, our annual crop of 7 billion bushels of corn and the corn silage could be converted to as much as 35 billion gallons of alcohol.

To support farm prices, the Agriculture Department has been paying American farmers \$1 billion a year not to grow crops on 13 million acres of "set aside" land. But if we removed this restriction and instead gave farmers an incentive to plant this idle land in sweet sorghum, this could yield another 25 billion gallons of alcohol a year. And we could use the present \$1 billion subsidy to finance the construction of thousands of small town and farm distilleries to produce the alcohol.

I am convinced this program alone could entirely eliminate our OPEC oil imports to zero within five years -- instead of merely reducing them to 4.5 million barrels a day by 1990 -- the goal set by the President.

Finally, I want to talk to you about another grave threat we face in the months and years ahead, one with which I have struggled through out my seventeen years in the United States Senate. And that is the dual threat of being destroyed from without by nuclear war or from within by the unsupportable burden of a crushing nuclear war budget.

The incident at Harrisburg, for all the anxiety and anguish and possible cancer cases it may have caused, may actually turn out to have been a blessing in disguise.

Not only may it have awakened the American people to the danger of nuclear energy, it may also have given the public a new perspective on the total absurdity of our nuclear defense budget. For the military planners at the Pentagon now accept as thinkable not just the equivalent of a thousand Harrisburg meltdowns across America -- but a thousand Hiroshimas.

During the Eisenhower-Dulles years, our defense planners developed the doctrine which they call "MAD", standing for Mutual Assured Destruction.

It meant simply that our best hope for peace and survival in the nuclear age lay in both the United States and the Soviet Union having the retaliatory capability of destroying the other nation if attacked by nuclear force.

I have always accepted, however, reluctantly, the logic of and necessity for this doctrine.

(next page, please)

Page 6

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But in recent years, Pentagon planners and their Soviet counterparts have gone on to develop and to sell to their national leaders an approach which I choose to call "MADDER" -- the Mutual Assured Double Doomsday Effect Race.

According to this school of thought, it is not enough to be able to destroy the other nation totally. One must be able to destroy it many times over. And if the Soviet Union should develop the capability to kill each American 150 times, but we had the capability to kill each Russian only 145 times, then they would be considered to have "superiority". What utter nonsense!

In his State of the Union address last January, President Carter pointed out, "Just one of our relatively invulnerable Poseidon submarines -- comprising less than 2% of our total nuclear force of submarines, aircraft, and land-based missiles -- carries enough warheads to destroy every large and medium-size city in the Soviet Union."

Then why, a reasonable person might ask, do we need so much more nuclear force? Why shouldn't our President simply make it clear to the Soviet Union: "If you decide to attack us, our spy satellites will immediately report your missile launchings, and I will order our nuclear submarines to wipe out every Soviet city." A grim warning, but a sure way to keep the peace and reduce the arms race.

The rebuttal to this by the arm chair military game players will astound you. But it provides a partial explanation for President Carter's asking \$122.7 billion for defense this year -- \$10.8 billion more than last year.

The MADDER argument goes something like this: suppose the Soviets, in a "first strike", shot 2,000 nuclear missiles targetted with deadly accuracy onto our 1,000 or so land-based hardened missile silos, knocking them out? Our President would supposedly hesitate to order (either before or after the Soviet strike) the destruction of all Soviet cities by our nuclear submarines. Why? Because that would make the Russians angry and then they'd really let us have it!

I'm serious. This is the logic of the MADDER advocates. The Russians are supposed to believe that after at least 2,000 Soviet bombs more powerful than that at Hiroshima are headed for or landed on our continent, causing up to 20 million instant deaths and many times that number from radiation sickness -- in fact, making most of our country essentially uninhabitable -- our President would hesitate to retaliate for fear of provoking a really serious attack!

And so, the argument goes, to avoid this "disadvantage", the Administration has now decided to spend as much as \$70 billion to develop our own super-accurate mobile ICBM, the MX. It could then "ride out" a Russian first strike by dodging, then counter-attack -- not against Russian cities but merely against the silos of their "second strike" reserve. This way, presumably, our

(over, please)

Page 7

two nations can have a "nuclear exchange" -- silos against silos -- and then shake hands and sign a peace treaty.

And the tragedy of the SALT II debate is that we are asked to choose between the madder SALT II agreement (in which both sides will be allowed substantial increases in their stockpiles of deliverable strategic warheads) -- and maddest of all, no-SALT, no holds barred, with the object of the "game" to see which side can bankrupt the other first with an uncontrolled arms race.

That economic bankruptcy may be closer than we think, SALT or no SALT. The annual inflation rate soared recently to a record high of 13%, and it's heading higher -- while the Administration urges holding wage increases down to 7%. Real wages have been dropping steadily since 1970. Meanwhile, the unemployment rate which has been hanging stubbornly around 6% threatens to rise to 8% within a year.

It is fashionable among the new right to explain our wildfire inflation entirely in terms of government debt and government spending.

Certainly there are wasteful, inefficient government programs that need elimination, reform, or cleaning up. But far more serious sources of inflation are the costs of energy -- interest rates -- and the billions squandered on excess nuclear defense capability.

The price of oil and natural gas affects not just the price of gasoline, but almost everything we use -- food, clothing, heating, housing. And even before the latest OPEC oil price increases, the Carter decision to deregulate gas and oil prices made continued double-digit inflation inevitable.

The Federal Reserve's 13% interest rates, a vain attempt to control inflation without increasing productivity merely tacks extra cost onto buying homes and cars as well as producing goods.

And defense dollars, lavished on non-competitive contractors who have run up \$78 billion in cost overruns, have been proven to be wildly inflationary.

In the name of national security, we have built a swaying tower of insecurity. When it comes to providing real security for our own people, the richest nation on earth has been slow in replacing poor housing, crumbling railway and public transport.

The roughly 25-million Americans living below the federal poverty level in poorly insulated homes can't even afford to keep warm in winter at today's skyrocketing fuel prices. In the Wall Street Journal, we learn that thousands of older people are dying each year from "accidental hypothermia," a rapid drop in body temperature -- in other words, they're freezing to death.

Yet John Kennedy's warning is still true that if we cannot help the many who are poor, we cannot save the few who are rich.

(next page, please)

Page 8

30010201519

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The program I want for America -- the one I want to return to Washington to fight for -- is one that would deal with all of these related problems in a unified way:

- We should divert billions of dollars from useless, pointless new defense projects into crash programs for solar energy.
- We should convert many of our defense plants into solar energy and public transportation manufacturing.
- We should cut the price of public and private transportation by producing billions of gallons of alcohol from waste and surplus grains.
- Instead of slashing Amtrak train service, as the Administration has done, we should build public transportation services equal to the finest high-speed trains of Europe and Japan. And instead of letting our freight trains decline, we could make America number one in rail systems.
- It has been estimated that just 30% of what we spend for the military would create two- to five-million more jobs if invested in solar energy manufacturing and public transportation development.
- And finally, we should clamp on tough price controls and start gas rationing until the fires of inflation begin to cool.
- Then we will be able to forge a new foreign policy based on genuine relaxation of international tensions, free from anxious scrambling for Arab oil. We could provide Israel the unstinting support it needs for survival without worrying so much about what the Arab nations might think.

If I am returned to the United States Senate next year by the voters of South Dakota, my 18 years in the Senate would put me in line for influential committee assignments and chairmanships.

But I believe that as a Senator I can also provide a national leadership and a voice ranging beyond this, by speaking to and for the loose coalition of citizens' groups working for the same goals as I have outlined in this letter.

However, I face a tough reelection fight. Right-wing extremist forces across the country have pledged to raise over \$1 million to finance a "get McGovern" campaign in South Dakota. In fact, they even put out a "Target McGovern" leaflet with telescopic rifle cross-hairs centered on a bullseye target over my heart.

Because of my vocal opposition to a Constitutional amendment outlawing abortion, along with my stand on the Panama Canal, I am now listed as one of

(over, please)

the five Senators the "single issue" groups and the extremists would most like to defeat in 1980.

These right-wing forces will spend heavily to defeat me. I must accumulate a substantial campaign treasury to correct the distorted impressions of me they will seek to spread among South Dakota voters.

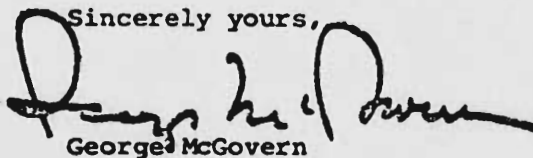
A great source of pride, satisfaction, and independence for me in the past has been the broad base of financial support I have enjoyed from small contributions of \$25 to \$100 rather than huge corporation political action committees.

So I am turning to you once again for your valued support, in the confidence that we share the same political and social outlook and that you know I will be working and fighting in Washington for your point of view.

If you agree, please send whatever you can as soon as you can. The "get McGovern" campaign in South Dakota is already under way, a year in advance. I need to start now to answer and expose their propaganda.

And I would appreciate hearing your views on the thoughts I have expressed in this letter. Like-minded people of good will must draw together, think together, and work together in the critical months and years just ahead if we are to achieve "the solar transition" to a secure society before it is too late.

Sincerely yours,



George McGovern

P.S. Let me urge you not to lay this letter aside with the intention of answering it later. The need is immediate and your financial help now can make a crucial difference. Please mail the most generous amount you can today. My special thanks!

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO. 11884 WASHINGTON, D.C.

POSTAGE WILL BE PAID BY ADDRESSEE

McGovern for Senate Committee
P.O. Box 472
Washington, D.C. 20004

Dear Senator McGovern . . .

I want to help you return to the United States Senate. We need your brand of independence now more than ever. I am enclosing a check for:

☐ \$20 ☐ \$30 ☐ \$50 ☐ \$100 ☐ \$250 ☐ Other \$_____

Name _____

Address _____

City _____ State _____ Zip _____

The Federal Election Commission requires us to request the following information.

Occupation _____

Place where employed _____

Please make checks payable to McGovern for Senate Committee and return to P.O. Box 472, Washington, D.C. 20004.

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.



1020
McGovern Campaign Committee
Box 1980, Sioux Falls, South Dakota 57101

April 14, 1980

80 APR 14 4:11

REC'D
GENERAL COUNSEL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Reference: MUR 1189

Dear Mr. Steele:

By letter dated March 24, 1980 you advised the McGovern for Senate Committee (hereinafter "Committee") that the Federal Election Commission had received a complaint that the Committee may have violated certain provisions of the Federal Election Campaign Act or related laws. You invited the Committee's response including relevant factual or legal materials.

On behalf of the McGovern for Senate Committee (previously known as the McGovern Direct Mail Committee) we are herewith submitting our response to the above-captioned complaint.

By way of summary, the complaint alleges that the campaign may have violated the federal election laws by failing to have on a direct mail solicitation certain authorizations and notices concerning the sponsorship of the letter. We will show that the direct mail package as a whole met the purpose and was well within the spirit of the election laws; that any violation was strictly de minimis; and that the campaign has now taken all reasonable steps to assure that no further mistakes occur. In order to emphasize the campaign's intent to comply fully with the Federal Election Campaign Act, it is currently making an effort to review its entire direct mail program since inception to determine if any additional unintentional errors may exist even though none are charged.

Under the Federal Election Campaign Act, as amended, 2 U.S.C. §437(g), and the regulations promulgated by the Commission, 11 C.F.R. Part 111, the Commission has the authority to determine that "no action should be taken" on the basis of the complaint and to dismiss the complaint. For the reasons set forth more fully below, we urge the Commission to exercise that authority in this case.

Attached 2
Page 1

30040201553

FACTS

The complaint filed in this matter alleges that a particular direct mail appeal for funds sent out by the campaign in December, 1979 may have resulted in a failure to comply with certain authorization and notice provisions of the federal election laws. Specifically, at the time of the mailing, 2 U.S.C. §441(d), as amended, and 11 C.F.R. §110.11 required (1) inclusion of a statement on a political communication disclosing the campaign committee authorizing it (or stating that it was not authorized by the campaign if that was the case), and (2) that the face or front page of all printed solicitations for contributions contain a notice that the sponsor's reports are on file and available at the Commission.

There have been two pertinent amendments to the law since the mailing in question was sent out. First, prior to the Federal Election Campaign Act Amendments of 1979 (P.L. 96-187, January 8, 1980) and implementing regulations promulgated by the Commission which became final on April 1, 1980 (45 Fed. Reg. 21211), there was no requirement that the necessary authorization disclaimer indicate who had paid for a solicitation, but only who had authorized it. See 2 U.S.C. §441(d). Hence, since the mailing in question predated the new requirements, the old, less stringent provision applies to it. Second, with the amendments, solicitation appeals no longer have to contain a reference to the availability of reports at the Commission. However, since the mailing in issue was sent prior to the enactment of the amendments, a notice was required.

The McGovern Campaign Committee is the authorized principal campaign committee supporting the reelection campaign of Senator George McGovern, a candidate for reelection to the Senate from the State of South Dakota. The Committee has carried on the normal activities associated with a political campaign. Campaign officials have attempted at all times to comply with applicable federal election laws and regulations.

With regard to the complaint, on or about December 5, 1979 a direct mail solicitation package was sent out to a large number of voters. The letters were mailed in "waves" and many of the letters were not delivered until sometime after January. The campaign had approved the letter in question in November, 1979 and had authorized the direct mail house to prepare it for circulation. According to standard practice, the mailing was prepared in San Francisco and mailed in Miami and Committee personnel did not have an opportunity to review printer's proofs.

The package contained an eight-page letter on the stationery of Senator George McGovern and signed by the Senator, as well as a pledge card, and a business reply envelope. The pledge card which accompanied the letter and the return envelope clearly identified Senator McGovern or his campaign. In addition, the

pledge card contained the notice that "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C." However, through an error by the direct mail team, and despite prior instructions from the campaign, the letter itself did not contain any language as to which committee authorized or paid for the mailing, nor did it have the then-required notice on its front page that a Committee report was on file and available at the Commission. This omission was not discovered by campaign officials until after the mailing had been sent out. Attached is a letter from the direct mail house which specifically states that "This was an inadvertant oversight and not due to error on the part of the Committee or members of the Committee."

As soon as the Committee learned of the errors in question, it examined what steps could be taken to remedy them. Since the mailing had already been sent out, nothing short of a new mailing to all recipients for the sole purpose of explaining the errors could be undertaken. This was deemed to be an inappropriate response, for reasons set forth below, as well as a needless expense. However, upon learning of the errors, the Committee reinstructed its direct mail house and other campaign personnel as to their obligations to comply with all campaign laws and regulations, and explained the authorization requirements established by the recent amendments to the federal election laws. See Exhibit 1. Henceforth, all mailings will state that they were "paid for or authorized" by the appropriate committee, i.e., either the McGovern for Senate Committee or the McGovern Campaign Committee. The campaign will assure that no additional mailings or advertisements lack the required authorization.

Concerning the reference to the McGovern for Senate Committee as the recipient of funds and as the committee filing reports, the campaign has changed the name of the McGovern Direct Mail Committee to McGovern for Senate Committee. This will assure that even though there is no longer a requirement to state on campaign material that copies of reports are on file at the Commission, anyone who seeks copies under the name McGovern for Senate Committee, as instructed in prior notices, will be able to do so; these reports will include those previously filed by the predecessor-named committee.

LEGAL ISSUES

1. Authorization and Notice

The purpose of the requirement that political advertising contain the authorization of a campaign committee (or, in instances where there is no authorization, a statement to that effect) is to assure that the public is fully aware of who is supporting a candidate and acting on his or her behalf. Thus, Section 110.11(a)(1) of the FEC's regulations states that the required authorization shall appear in order "to give the reader...adequate notice of the identity of persons who paid for or who authorized the communication."

In the instant matter, there can scarcely be any question about who authorized the mailing since the letter itself was signed by the candidate, Senator George McGovern, and is written on his own stationery. It is hard to imagine how the intent of the law that voters have adequate notice of the source of campaign literature could possibly be violated under the circumstances. In addition, the business reply envelope and pledge card which accompanied the mailing clearly identified Senator McGovern or his campaign.

The campaign believes that the direct mail solicitation in question as a whole complied with the intent of the law and was within its spirit and that the mailing could in no manner have been misleading to its recipients. Clearly no intent by the campaign to mislead or deceive the public can reasonably be found under the circumstances. The failure of the letter to contain the necessary authorization was an unintentional error. Indeed, a direct mail letter from Gloria Steinem soliciting funds for the Committee was prepared at the same time and subsequently mailed which did contain the authorization notice on the front of the first page. While the Committee recognizes it is ultimately responsible for compliance with the federal election laws and regulations, it believes that any violation which may have occurred should be viewed as de minimis. The Committee has, however, taken the additional steps described earlier to try to assure no further violations will occur and it believes none will.

2. Reports to the Commission

With regard to the failure of the letter in question to identify a particular committee as one whose reports are available from the Commission, the law no longer requires such notices. 2 U.S.C. §441(d), as amended. See, Remarks of Congressman Thompson, 125 Cong. Rec. H12,366 (Daily ed., December 20, 1979). In any event, a campaign committee filing reports was identified on the pledge card. Since the McGovern Direct Mail Committee's name has

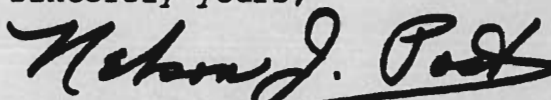
Mr. Charles N. Steele
Federal Election Commission
April 14, 1980
Page 5

been changed to McGovern for Senate Committee, all reports can now be found under the name "McGovern for Senate Committee." Any possible confusion is now remedied and no harm can be incurred by the public.

* * *

Under all of the circumstances, the campaign urges that the Federal Election Commission dismiss the complaint forthwith as not constituting a violation of the law.

Sincerely yours,



Nelson J. Post
Assistant Treasurer
McGovern Campaign Committee

80040201557

Page 5

PARKER/DODD & ASSOCIATES

680 BEACH STREET, SUITE 474, SAN FRANCISCO, CALIFORNIA 94109 (415) 441-6866

April 9, 1980

Mr. Jeffrey M. Smith
McGovern for Senate Committee
Post Office Box 472
Washington, DC 20004

Reference: McGovern for Senate Committee
FEC Complaint MUR 1189

Dear Mr. Smith:

This is to acknowledge your recent letter advising Parker/Dodd and Associates that the Federal Election Commission has received a complaint that the McGovern for Senate Committee may have violated certain provisions of the Federal Election Campaign Act or related laws, specifically, 2 U.S.C. p. 441(d), as amended, and 11 C.F.R. p. 110.11.

The subject of this complaint is an eight-page direct mail solicitation which was prepared by Parker/Dodd and Associates in San Francisco in November, 1979 and printed and mailed by Ace-Parker, Inc. of Miami the first week of December, 1979.

Although the pledge card which accompanied this eight-page direct mail appeal contained the notice that "A copy of our report is filed with the FEC and is available for purchase from the FEC, Washington, DC," the letter itself did not contain specific language that it was paid for and authorized by the McGovern for Senate Committee. This was an inadvertant oversight and not due to error on the part of the Committee or members of the Committee.

As with other fundraising direct mail solicitations prepared by us for the Committee we have taken all reasonable steps to assure compliance with the Federal Election Campaign Act. We are aware of the rules and regulations of the FEC regarding direct mail solicitations and we assure you that we will make every effort to comply fully with the law.

Sincerely yours,

Richard Parker
Parker/Dodd and Associates

RP/ab

Page 6

April 7, 1980

Mr. Richard Parker
Parker/Dodd and Associates
Suite 474
680 Beach Street
San Francisco, CA 94109

Dear Mr. Parker:

As you know, we have previously instructed you that all campaign advertising and direct mail solicitations on behalf of Senator George McGovern must contain a statement that the advertisement or mailing was authorized by the McGovern for Senate Committee. Any fund solicitation must contain additional language that a copy of the report of the Committee is on file and available from the Federal Election Commission in Washington, DC.

We learned a few days ago that a direct mail letter prepared and sent by you on or about December 5, 1979 did not contain either the authorization or the notice on the letter itself. Although the pledge card accompanying the mailing contained the notice, the letter should have contained both the authorization and the notice.

Accordingly, I am writing to reinstruct you with respect to the requirements imposed upon you regarding all advertising and direct mail that you perform for the Committee. Due to some changes in the law enacted in January, 1980, it is no longer required that fund solicitation letters contain a notice regarding the availability of our reports at the Federal Election Commission. However, all advertising, including fund solicitations, must continue to carry the statement that the material being sent out is authorized by the McGovern for Senate Committee. In addition, there is now a new requirement that the authorization include the statement that the material is "paid for" as well as "authorized by" the Committee. Hence, each piece of our material (except for buttons, bumper stickers, and the like which are too small to contain the language) must say "Paid for and authorized by the McGovern for Senate Committee."

Page 9

By means of this letter, I am asking that you undertake to assure that no materials you prepare and send for this Committee will enter the public domain without the necessary language being contained on each piece of campaign literature or mail. Please signify your acceptance of these conditions by signing this letter in the space below and returning the letter to me. The extra copy is for your files.

Thank you for your cooperation.

Sincerely,

Jeffrey M. Smith
Office of Senator George McGovern

Parker/Dodd

Date

McCord, Acc. Bk
cc: Harold Himmelman, Esq.
Beveridge, Fairbanks & Diamond
1333 New Hampshire Ave., NW
Washington, DC 20036

HH/JMS:dss

Page 2

80040201560

Gloria Steinem

Dear Friend,

I want to alert you to an emergency -- one that demands our help right now, even as we prepare for other crucial contests in the November general election.

Without our support, there is a good and deserving man in the Senate who may not be re-elected -- Senator George McGovern of South Dakota. Senator McGovern alone among the six Senators who have been targeted for defeat by the extreme rightwing, is now facing a serious, hard-fought and vicious primary challenge.

A "right-to-life" candidate has been hand picked by a virulent anti-abortion coalition and is being funded by hundreds of thousands of out-of-state dollars, with just one purpose -- to defeat Senator McGovern, and to strengthen the anti-choice position.

Why has George McGovern been targeted?

Because he supports the most basic and personal of all human rights: the right of a woman to decide, without Government interference or bias, whether or not to bear a child.

Those of us who support reproductive freedom (more than 70% of all Americans in recent public opinion polls) learned with dismay in the 1978 elections what a small, well-organized, well-financed minority can do. Using tactics ranging from personal harrassment to false "scare" photos of dead fetuses, they even used church buses as political tools in a get-out-the-vote campaign completely counter to our Constitutional guarantees that church and state remain separate.

Now these same "right-to-life" forces organized as the Life Amendment Political Action Committee (LAPAC) have targeted McGovern, Senator Culver of Iowa, Senator Bayh of Indiana, Senator Packwood of Oregon, Senator Leahy of Vermont and Senator Church of Idaho.

Most of these men are leaders in supporting the pro-choice cause. And even some who are not strongly pro-choice, such as Senator

Page 9

Paid for and authorized by McGovern Campaign Committee.

A copy of our report is on file with the Federal Election Commission and is available for purchase from the Federal Election Commission.

us meet it. "America does not have a shortage of energy," McGovern says. "It has a shortage of leadership."

This is the voice of history -- and courage to stand up against special interests -- that the rightwing wants to silence -- on the issue of abortion.

I have hesitated to write you this letter. I know that many of you have already been asked to help in other key races and are committing time and energy to important causes we all support.

But I decided to write this letter for one reason:

I imagined the thoughts and regrets I would have if I woke up June 4, the day after the South Dakota primary, to reports that Senator George McGovern had been narrowly defeated by an obscure, "right to life" candidate.

I know you would share my feelings. But what could we do then? What would we wish we had done? What regrets and afterthoughts would haunt us with McGovern gone?

We have a lot to lose in the South Dakota primary if Senator McGovern is defeated or if his margin of victory, due to anti-choice efforts, is diminished to the point where it is perceived as a "defeat" by those who will be interpreting the results.

He is being challenged because he has had the vision and the courage to stand with us in favor of pro-choice.

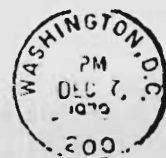
We cannot afford to lose him -- or this election -- on the basis of this issue.

I invite each of you to imagine the feelings you will have when you hear the news of the ultra-rightwing's victory celebrations when they win in South Dakota.

Take those feelings and put a price tag on them. How much would you give not to hear that announcement? How much is it worth to each and every one of us to keep McGovern in office and to prevent the minority from winning?

I hope you will give that amount -- and all that you can afford -- to see human rights win out. The Senator needs to have the assurance that funds will be available, so that he can carry the pro-choice issue -- our issue -- our position -- to the voters in South Dakota.

Senator George McGovern
WASHINGTON, D.C.



*FEC
MAR 11 1989*

Exhibit

HOR 55 011010N1 12/10/79

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BARBARA HOROVITZ
13855 SUPERIOR ROAD
E CLEVELAND, OH

44118



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harold Himmelman, Esq.
BEVERIDGE, FAIRBANKS & DIAMOND
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1189

Dear Mr. Himmelman:

On June , 1980, the Commission found reason to believe that the McGovern for Congress Committee ("the Committee") violated 2 U.S.C. § 435(b) and § 441d, prior the 1979 Amendments (P.L. 96-187). Specifically, your client failed to include language required by these provisions on an eight page letter soliciting contributions on behalf of Senator McGovern's re-election.

However, after considering the circumstances that (a) the omission of language was due to an error by the preparer of the letter rather than on the part of the Committee, (b) the disclaimer required by section 435(b) appeared on a pledge card which accompanied the eight page letter, (c) the solicitation as a whole disclosed the critical information, and (d) the recently implemented Public Law 96-187 deletes section 435(b), the Commission has determined to take no further action and to close its file regarding this matter. The Commission reminds you that failing to include required language on solicitations is nevertheless in violation of the Act and your client should take immediate steps to insure that this activity does not occur in the future.

This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days. If you have any questions, please direct them to Carolyn Weeder at (202) 523-4529.

Sincerely,

80040201564



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Hal Wick, Chairman
Rural Route 4
Box 133
Sioux Falls, South Dakota 57101

Re: MUR 1189

Dear Mr. Wick:

This is in reference to the complaint you filed with the Commission on March 5, 1980 concerning the McGovern for Senate Committee's possible violations of 2 U.S.C. § 435(b) and § 441d by failing to include required language on a solicitation.

After conducting an investigation in this matter, the Commission determined there was reason to believe that the McGovern for Senate Committee ("the Committee") violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances that (a) the omission of language was due to an error by the preparer of the letter rather than on the part of the Committee, (b) the disclaimer required by section 435(b) appeared on a pledge card which accompanied the eight page letter, (c) the solicitation as a whole disclosed the critical information, and (d) the recently implemented Public Law 96-187 deletes section 435(b), the Commission has determined to take no further action. Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact Carolyn Weeder, the staff member assigned to this matter at (202) 523-4529. This matter will be made part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

8004020155



McGovern Campaign Committee
Box 1980, Sioux Falls, South Dakota 57101

April 14, 1980

80 APR 14 4:11
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Reference: MUR 1189

Dear Mr. Steele:

By letter dated March 24, 1980 you advised the McGovern for Senate Committee (hereinafter "Committee") that the Federal Election Commission had received a complaint that the Committee may have violated certain provisions of the Federal Election Campaign Act or related laws. You invited the Committee's response including relevant factual or legal materials.

On behalf of the McGovern for Senate Committee (previously known as the McGovern Direct Mail Committee) we are herewith submitting our response to the above-captioned complaint.

By way of summary, the complaint alleges that the campaign may have violated the federal election laws by failing to have on a direct mail solicitation certain authorizations and notices concerning the sponsorship of the letter. We will show that the direct mail package as a whole met the purpose and was well within the spirit of the election laws; that any violation was strictly de minimis; and that the campaign has now taken all reasonable steps to assure that no further mistakes occur. In order to emphasize the campaign's intent to comply fully with the Federal Election Campaign Act, it is currently making an effort to review its entire direct mail program since inception to determine if any additional unintentional errors may exist even though none are charged.

Under the Federal Election Campaign Act, as amended, 2 U.S.C. §437(g), and the regulations promulgated by the Commission, 11 C.F.R. Part 111, the Commission has the authority to determine that "no action should be taken" on the basis of the complaint and to dismiss the complaint. For the reasons set forth more fully below, we urge the Commission to exercise that authority in this case.

Mr. Charles N. Steele
Federal Election Commission
April 14, 1980
Page 2

FACTS

The complaint filed in this matter alleges that a particular direct mail appeal for funds sent out by the campaign in December, 1979 may have resulted in a failure to comply with certain authorization and notice provisions of the federal election laws. Specifically, at the time of the mailing, 2 U.S.C. §441(d), as amended, and 11 C.F.R. §110.11 required (1) inclusion of a statement on a political communication disclosing the campaign committee authorizing it (or stating that it was not authorized by the campaign if that was the case), and (2) that the face or front page of all printed solicitations for contributions contain a notice that the sponsor's reports are on file and available at the Commission.

There have been two pertinent amendments to the law since the mailing in question was sent out. First, prior to the Federal Election Campaign Act Amendments of 1979 (P.L. 96-187, January 8, 1980) and implementing regulations promulgated by the Commission which became final on April 1, 1980 (45 Fed. Reg. 21211), there was no requirement that the necessary authorization disclaimer indicate who had paid for a solicitation, but only who had authorized it. See 2 U.S.C. §441(d). Hence, since the mailing in question predated the new requirements, the old, less stringent provision applies to it. Second, with the amendments, solicitation appeals no longer have to contain a reference to the availability of reports at the Commission. However, since the mailing in issue was sent prior to the enactment of the amendments, a notice was required.

The McGovern Campaign Committee is the authorized principal campaign committee supporting the reelection campaign of Senator George McGovern, a candidate for reelection to the Senate from the State of South Dakota. The Committee has carried on the normal activities associated with a political campaign. Campaign officials have attempted at all times to comply with applicable federal election laws and regulations.

With regard to the complaint, on or about December 5, 1979 a direct mail solicitation package was sent out to a large number of voters. The letters were mailed in "waves" and many of the letters were not delivered until sometime after January. The campaign had approved the letter in question in November, 1979 and had authorized the direct mail house to prepare it for circulation. According to standard practice, the mailing was prepared in San Francisco and mailed in Miami and Committee personnel did not have an opportunity to review printer's proofs.

The package contained an eight-page letter on the stationery of Senator George McGovern and signed by the Senator, as well as a pledge card, and a business reply envelope. The pledge card which accompanied the letter and the return envelope clearly identified Senator McGovern or his campaign. In addition, the

80040201567

Mr. Charles N. Steele
Federal Election Commission
April 14, 1980
Page 3

pledge card contained the notice that "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C." However, through an error by the direct mail team, and despite prior instructions from the campaign, the letter itself did not contain any language as to which committee authorized or paid for the mailing, nor did it have the then-required notice on its front page that a Committee report was on file and available at the Commission. This omission was not discovered by campaign officials until after the mailing had been sent out. Attached is a letter from the direct mail house which specifically states that "This was an inadvertant oversight and not due to error on the part of the Committee or members of the Committee."

As soon as the Committee learned of the errors in question, it examined what steps could be taken to remedy them. Since the mailing had already been sent out, nothing short of a new mailing to all recipients for the sole purpose of explaining the errors could be undertaken. This was deemed to be an inappropriate response, for reasons set forth below, as well as a needless expense. However, upon learning of the errors, the Committee reinstructed its direct mail house and other campaign personnel as to their obligations to comply with all campaign laws and regulations, and explained the authorization requirements established by the recent amendments to the federal election laws. See Exhibit 1. Henceforth, all mailings will state that they were "paid for or authorized" by the appropriate committee, i.e., either the McGovern for Senate Committee or the McGovern Campaign Committee. The campaign will assure that no additional mailings or advertisements lack the required authorization.

Concerning the reference to the McGovern for Senate Committee as the recipient of funds and as the committee filing reports, the campaign has changed the name of the McGovern Direct Mail Committee to McGovern for Senate Committee. This will assure that even though there is no longer a requirement to state on campaign material that copies of reports are on file at the Commission, anyone who seeks copies under the name McGovern for Senate Committee, as instructed in prior notices, will be able to do so; these reports will include those previously filed by the predecessor-named committee.

Mr. Charles N. Steele
Federal Election Commission
April 14, 1980
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LEGAL ISSUES

1. Authorization and Notice

The purpose of the requirement that political advertising contain the authorization of a campaign committee (or, in instances where there is no authorization, a statement to that effect) is to assure that the public is fully aware of who is supporting a candidate and acting on his or her behalf. Thus, Section 110.11(a)(1) of the FEC's regulations states that the required authorization shall appear in order "to give the reader...adequate notice of the identity of persons who paid for or who authorized the communication."

In the instant matter, there can scarcely be any question about who authorized the mailing since the letter itself was signed by the candidate, Senator George McGovern, and is written on his own stationery. It is hard to imagine how the intent of the law that voters have adequate notice of the source of campaign literature could possibly be violated under the circumstances. In addition, the business reply envelope and pledge card which accompanied the mailing clearly identified Senator McGovern or his campaign.

The campaign believes that the direct mail solicitation in question as a whole complied with the intent of the law and was within its spirit and that the mailing could in no manner have been misleading to its recipients. Clearly no intent by the campaign to mislead or deceive the public can reasonably be found under the circumstances. The failure of the letter to contain the necessary authorization was an unintentional error. Indeed, a direct mail letter from Gloria Steinem soliciting funds for the Committee was prepared at the same time and subsequently mailed which did contain the authorization notice on the front of the first page. While the Committee recognizes it is ultimately responsible for compliance with the federal election laws and regulations, it believes that any violation which may have occurred should be viewed as de minimis. The Committee has, however, taken the additional steps described earlier to try to assure no further violations will occur and it believes none will.

2. Reports to the Commission

With regard to the failure of the letter in question to identify a particular committee as one whose reports are available from the Commission, the law no longer requires such notices. 2 U.S.C. §441(d), as amended. See, Remarks of Congressman Thompson, 125 Cong. Rec. H12,366 (Daily ed., December 20, 1979). In any event, a campaign committee filing reports was identified on the pledge card. Since the McGovern Direct Mail Committee's name has

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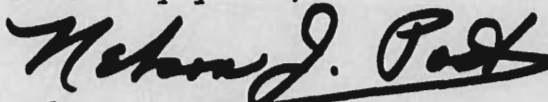
Mr. Charles N. Steele
Federal Election Commission
April 14, 1980
Page 5

been changed to McGovern for Senate Committee, all reports can now be found under the name "McGovern for Senate Committee." Any possible confusion is now remedied and no harm can be incurred by the public.

* * *

Under all of the circumstances, the campaign urges that the Federal Election Commission dismiss the complaint forthwith as not constituting a violation of the law.

Sincerely yours,



Nelson J. Post
Assistant Treasurer
McGovern Campaign Committee

80040201570

PARKER DODD & ASSOCIATES

680 BEACH STREET, SUITE 474, SAN FRANCISCO, CALIFORNIA 94109 (415) 441-6866

April 9, 1980

Mr. Jeffrey M. Smith
McGovern for Senate Committee
Post Office Box 472
Washington, DC 20004

Reference: McGovern for Senate Committee
FEC Complaint MUR 1189

Dear Mr. Smith:

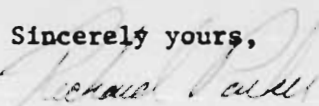
This is to acknowledge your recent letter advising Parker/Dodd and Associates that the Federal Election Commission has received a complaint that the McGovern for Senate Committee may have violated certain provisions of the Federal Election Campaign Act or related laws, specifically, 2 U.S.C. p. 441(d), as amended, and 11 C.F.R. p. 110.11.

The subject of this complaint is an eight-page direct mail solicitation which was prepared by Parker/Dodd and Associates in San Francisco in November, 1979 and printed and mailed by Ace-Parker, Inc. of Miami the first week of December, 1979.

Although the pledge card which accompanied this eight-page direct mail appeal contained the notice that "A copy of our report is filed with the FEC and is available for purchase from the FEC, Washington, DC," the letter itself did not contain specific language that it was paid for and authorized by the McGovern for Senate Committee. This was an inadvertant oversight and not due to error on the part of the Committee or members of the Committee.

As with other fundraising direct mail solicitations prepared by us for the Committee we have taken all reasonable steps to assure compliance with the Federal Election Campaign Act. We are aware of the rules and regulations of the FEC regarding direct mail solicitations and we assure you that we will make every effort to comply fully with the law.

Sincerely yours,


Richard Parker
Parker/Dodd and Associates

RP/ab

80040201571

April 7, 1980

Mr. Richard Parker
Parker/Dodd and Associates
Suite 474
680 Beach Street
San Francisco, CA 94109

Dear Mr. Parker:

As you know, we have previously instructed you that all campaign advertising and direct mail solicitations on behalf of Senator George McGovern must contain a statement that the advertisement or mailing was authorized by the McGovern for Senate Committee. Any fund solicitation must contain additional language that a copy of the report of the Committee is on file and available from the Federal Election Commission in Washington, DC.

We learned a few days ago that a direct mail letter prepared and sent by you on or about December 5, 1979 did not contain either the authorization or the notice on the letter itself. Although the pledge card accompanying the mailing contained the notice, the letter should have contained both the authorization and the notice.

Accordingly, I am writing to reinstruct you with respect to the requirements imposed upon you regarding all advertising and direct mail that you perform for the Committee. Due to some changes in the law enacted in January, 1980, it is no longer required that fund solicitation letters contain a notice regarding the availability of our reports at the Federal Election Commission. However, all advertising, including fund solicitations, must continue to carry the statement that the material being sent out is authorized by the McGovern for Senate Committee. In addition, there is now a new requirement that the authorization include the statement that the material is "paid for" as well as "authorized by" the Committee. Hence, each piece of our material (except for buttons, bumper stickers, and the like which are too small to contain the language) must say "Paid for and authorized by the McGovern for Senate Committee."

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Mr. Richard Parker

Page 2

By means of this letter, I am asking that you undertake to assure that no materials you prepare and send for this Committee will enter the public domain without the necessary language being contained on each piece of campaign literature or mail. Please signify your acceptance of these conditions by signing this letter in the space below and returning the letter to me. The extra copy is for your files.

Thank you for your cooperation.

Sincerely,

Jeffrey M. Smith
Office of Senator George McGovern

Parker/Dodd

Date

Mac Lindy, Acc-Parker
cc: Harold Himmelman, Esq.
Beveridge, Fairbanks & Diamond
1333 New Hampshire Ave., NW
Washington, DC 20036

HH/JMS:dss

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● Gloria Steinem ●

Dear Friend,

I want to alert you to an emergency -- one that demands our help right now, even as we prepare for other crucial contests in the November general election.

Without our support, there is a good and deserving man in the Senate who may not be re-elected -- Senator George McGovern of South Dakota. Senator McGovern alone among the six Senators who have been targeted for defeat by the extreme rightwing, is now facing a serious, hard-fought and vicious primary challenge.

A "right-to-life" candidate has been hand picked by a virulent anti-abortion coalition and is being funded by hundreds of thousands of out-of-state dollars, with just one purpose -- to defeat Senator McGovern, and to strengthen the anti-choice position.

Why has George McGovern been targeted?

Because he supports the most basic and personal of all human rights: the right of a woman to decide, without Government interference or bias, whether or not to bear a child.

Those of us who support reproductive freedom (more than 70% of all Americans in recent public opinion polls) learned with dismay in the 1978 elections what a small, well-organized, well-financed minority can do. Using tactics ranging from personal harassment to false "scare" photos of dead fetuses, they even used church buses as political tools in a get-out-the-vote campaign completely counter to our Constitutional guarantees that church and state remain separate.

Now these same "right-to-life" forces organized as the Life Amendment Political Action Committee (LAPAC) have targeted McGovern, Senator Culver of Iowa, Senator Bayh of Indiana, Senator Packwood of Oregon, Senator Leahy of Vermont and Senator Church of Idaho.

Most of these men are leaders in supporting the pro-choice cause. And even some who are not strongly pro-choice, such as Senator

Paid for and authorized by McGovern Campaign Committee

A copy of our report is on file with the Federal Election Commission and is available for purchase from the Federal Election Commission.

Church, are targeted because they are perceived as liberals. These men were put in the bulls-eye because they were felt to be especially vulnerable to a LAPAC-led challenge.

Freedom of choice on abortion should not be a political issue at all, but should be an issue between a woman and her doctor -- as the Supreme Court has ruled, part of her Constitutionally-guaranteed right of privacy. The lesson we have learned is that the ultra-rightwing uses the issue of freedom of choice on abortion to create an atmosphere of religious hysteria among a very small minority of voters, but one which is just barely able to tip the scales against the obvious will of a complacent majority.

The smaller the vote, the smaller the election, the more likely this shrill and undemocratic effort is to succeed.

That's one reason why a little publicized primary in a small state like South Dakota is the perfect battlefield for these warriors of prejudice and advocates of Government authoritarianism.

The second reason is George McGovern himself.

In 1963, with his friend Jack Kennedy still in the White House, George McGovern used his first speech on the floor of the Senate to warn about the dangers of Vietnam. "If we do not recognize the trap of an unjust war," McGovern said, "it will haunt us in every corner of this revolutionary globe."

This is the Senator they want to defeat -- on the single issue of abortion.

In 1972, McGovern was almost alone in trying to expose the seriousness of Nixon's massive misuse of power that was symbolized by Watergate; a seriousness that other national leaders did not concede until many disastrous months later.

This is the voice of national leadership they want to silence -- on the emotional issue of abortion.

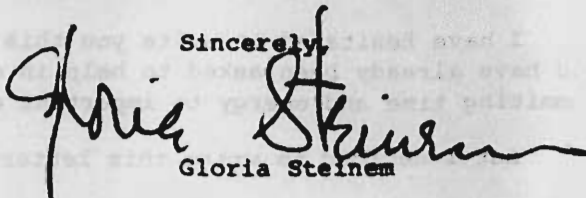
In 1980, McGovern has become one of the strongest voices of reason in the Senate against the hysteria of those who want to take us back to the 1950's and the Cold War. He sees the challenge of achieving energy-independence as comparable to the Civil War or the Great Depression, and he has the courage and sense of history to help

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To borrow from Sinclair Lewis, It Can Happen Here. It is happening here -- in South Dakota. And what happens in that state will influence the course of the pro-choice issue throughout the 1980 campaigns.

Won't you join hands with me, now once again?

Sincerely,


Gloria Steinem

P.S. Please, I urge you, not to lay this letter aside with the intention of answering it later. If you feel this is "just another request for funds," think for a moment about all the important goals we share in common. I've already sent my check off to Senator McGovern. Please join forces and send the most generous amount you can afford today. My special thanks! This cause is just and the need is urgent -- and your immediate response can make a critical difference.

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us meet it. "America does not have a shortage of energy," McGovern says. "It has a shortage of leadership."

This is the voice of history -- and courage to stand up
against special interests -- that the rightwing wants to
silence -- on the issue of abortion.

I have hesitated to write you this letter. I know that many of you have already been asked to help in other key races and are committing time and energy to important causes we all support.

But I decided to write this letter for one reason:

I imagined the thoughts and regrets I would have if I woke up June 4, the day after the South Dakota primary, to reports that Senator George McGovern had been narrowly defeated by an obscure, "right to life" candidate.

I know you would share my feelings. But what could we do then? What would we wish we had done? What regrets and afterthoughts would haunt us with McGovern gone?

We have a lot to lose in the South Dakota primary if Senator McGovern is defeated or if his margin of victory, due to anti-choice efforts, is diminished to the point where it is perceived as a "defeat" by those who will be interpreting the results.

He is being challenged because he has had the vision and the courage to stand with us in favor of pro-choice.

We cannot afford to lose him -- or this election -- on the basis of this issue.

I invite each of you to imagine the feelings you will have when you hear the news of the ultra-rightwing's victory celebrations when they win in South Dakota.

Take those feelings and put a price tag on them. How much would you give not to hear that announcement? How much is it worth to each and every one of us to keep McGovern in office and to prevent the minority from winning?

I hope you will give that amount -- and all that you can afford -- to see human rights win out. The Senator needs to have the assurance that funds will be available, so that he can carry the pro-choice issue -- our issue -- our position -- to the voters in South Dakota.

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Senator George McGovern
WASHINGTON, D.C.

FEC
MUR 11/89
EXHIBIT

HOR 55 011010N1 12/10/79

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BARBARA HOROVITZ
13855 SUPERIOR ROAD
E CLEVELAND, OH



44118

Senator George McGovern
WASHINGTON, D.C.

My dear friend:

The 1980's, I am now deeply convinced, will be a turning point in American history -- comparable in magnitude to the Civil War of the 1860's and the Great Depression and New Deal of the 1930's.

America will face awesome opportunities and profound dangers that have no parallel in the past.

I am eager to be part of it -- to help our nation seize the opportunities and avoid the dangers.

To accomplish this, I will need your help once again, for reasons I will explain at the end of this letter.

But first I would like to ask a few minutes of your time to consider along with me exactly what I am talking about. Then I think you will agree with me at least on the critical importance of the years just ahead.

The opportunity at hand is to achieve in the 1980's what Barry Commoner calls "the solar transition" -- to free our nation from dependency on OPEC oil.

A recent study by the Harvard Business School entitled, "Our Energy Future," concludes that a carefully constructed, energy efficient conservation movement could save the equivalent of all the oil we are now importing from OPEC. Such a conservation effort would include the construction of energy efficient railways and urban transit; the insulation of our houses, public buildings and commercial structures; energy conserving practices in our factories, shops and office buildings; the co-generation of power and a host of other energy efficient and conserving techniques.

Beyond this, the Harvard study points to the challenging and practical applications of solar power to meet from one-fifth to one-fourth of our energy requirements.

I believe that thoughtful analysis such as the Harvard study and Barry Commoner's work points the way to a dependable, clean, workable energy future for the United States.

Unless we can find answers not now available to us as to how nuclear energy can be safely produced and its waste safely disposed of, I do not believe that we can pursue the nuclear rainbow. The risk in human lives and suffering is too great. The financial costs also seem to be violating any reasonable benefit-cost ratio.

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It doesn't matter whether the near-catastrophe at Three Mile Island was due to human failure, mechanical failure, or sabotage. The point is that avoiding a nuclear power plant disaster requires three kinds of total perfection in an imperfect world -- human perfection, mechanical perfection, and perfect security. That is virtually impossible as matters now stand.

U.S. nuclear power plants reported 2,835 "incidents" in 1978. Many were similar to the malfunctions encountered at Three Mile Island.

Now we see the President making a similar mistake in his expensive reliance on synthetic fuels from coal, oil shale, and tar sands. Its development would consume a large part of the \$88 billion investment of the President's proposed Energy Security Corporation. It would require ripping open and chewing up vast areas of public land, polluting the air, consuming huge quantities of our precious water -- and the cost of the resulting fuel is likely to be higher than the cost of the OPEC oil we are trying to get along without. The big gainers from synthetic fuels will be the oil companies who are acquiring the coal resources from which the product is made.

Of course we've got to have energy. But I most emphatically do not agree that we either should or need to resort to such desperation measures to provide it. The blunt truth is that America does not have a shortage of energy. It has a shortage of leadership.

Each year the sun beams to our planet earth, 28,000 times more solar energy than all the commercial energy used by mankind.

And we already possess the technology to make substantially more use of this endless resupply of clean, renewable energy within the next five years than we are currently planning.

The President's new energy program calls for an estimated increase of just 2% over existing solar programs by the year 2000. But look at just part of the dazzling embarrassment of riches in renewable energy technology waiting to be developed right now by a substantial common sense program.

PHOTOVOLTAIC CELLS. This is probably the simplest and potentially the cheapest form of solar energy. Sunlight striking the cell is converted directly into electricity.

Right now the problem is cost -- about \$15 per watt, compared to 50¢ to \$1.20 for conventional power plants.

But an extraordinary government study pointed to the solution. It showed that if the Pentagon would invest just \$500 million to replace its smaller gasoline generators with photovoltaic cells, on a strict cost-benefit basis, it would start a mass production/mass use cycle that could bring the cost down

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to 50¢ a watt in just 5 years. This would make it possible to produce 500,000 megawatts of power -- over 10 times as much as our presently operating nuclear power plants -- at competitive rates.

But Congress proposed an investment of only \$98 million, even that over Administration opposition -- and then the President vetoes even that much! "It is still too early," he said, "to concentrate on commercialization of photovoltaics."

WIND GENERATORS. An inventor in Allentown, Pennsylvania has developed a simple, low-cost wind turbine that has more capacity, at 60¢ a watt, than NASA's recently completed windmill at Clayton, New Mexico. And William Heronemus and his associates at the University of Massachusetts have designed offshore wind-power generators that could produce the equal of 80 nuclear power plants, more than enough to supply all of New England with power.

UNDERSEA TURBINES. The Gulf Stream contains 50 times as much energy as all the rivers of the world put together. Now an inventor has designed a system of giant undersea Gulf Stream turbines that could be built for less per watt than new coal or nuclear plants and far more quickly. Just 230 of these turbines could produce enough to supply the entire state of Florida, the equal of 10 nuclear power plants.

WATER POWER. Our country has hundreds of smaller dams which either were never harnessed or whose turbines were abandoned when other forms of power were developed. The Federal Power Commission estimates that 54,000 megawatts -- more power than we now get from all our nuclear reactors -- could be harnessed at dams that already exist but do not have turbines.

ALCOHOL. Alcohol can be distilled by fermenting almost any organic product or byproduct -- waste wood, food plant wastes, garbage, grain, sorghum cane, etc.

During the recent gasoline shortage, the whole nation suddenly became conscious of gasohol, a mixture of 90% gasoline and 10% alcohol.

But with minor modifications, gasoline engines can burn pure alcohol -- with no pollution of the atmosphere. And by determined national effort, we could replace gasoline from OPEC oil with pure alcohol in our automobiles in the foreseeable future.

Last year the United States consumed 182 billion gallons of gasoline, of which about one-half was from imported oil. A Purdue scientist has developed a way to convert plant matter into glucose, the raw materials for ethanol. He says this would make it possible to turn the nation's annual one billion tons of waste into 375 million tons of fuel grade alcohol -- that's over 90 billion gallons -- at a retail cost of about 80¢ a gallon!

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A farmer-scientist in Minnesota, using a homemade solar-heat distillery, turned 45,000 bushels of surplus corn into 225,000 gallons of alcohol. And the leftover fermented mash which was fed to livestock is more nutritious than the corn from which it was made.

Using his technology, our annual crop of 7 billion bushels of corn and the corn silage could be converted to as much as 35 billion gallons of alcohol.

To support farm prices, the Agriculture Department has been paying American farmers \$1 billion a year not to grow crops on 13 million acres of "set aside" land. But if we removed this restriction and instead gave farmers an incentive to plant this idle land in sweet sorghum, this could yield another 25 billion gallons of alcohol a year. And we could use the present \$1 billion subsidy to finance the construction of thousands of small town and farm distilleries to produce the alcohol.

I am convinced this program alone could entirely eliminate our OPEC oil imports to zero within five years -- instead of merely reducing them to 4.5 million barrels a day by 1990 -- the goal set by the President.

Finally, I want to talk to you about another grave threat we face in the months and years ahead, one with which I have struggled through out my seventeen years in the United States Senate. And that is the dual threat of being destroyed from without by nuclear war or from within by the unsupportable burden of a crushing nuclear war budget.

The incident at Harrisburg, for all the anxiety and anguish and possible cancer cases it may have caused, may actually turn out to have been a blessing in disguise.

Not only may it have awakened the American people to the danger of nuclear energy, it may also have given the public a new perspective on the total absurdity of our nuclear defense budget. For the military planners at the Pentagon now accept as thinkable not just the equivalent of a thousand Harrisburg meltdowns across America -- but a thousand Hiroshimas.

During the Eisenhower-Dulles years, our defense planners developed the doctrine which they call "MAD", standing for Mutual Assured Destruction.

It meant simply that our best hope for peace and survival in the nuclear age lay in both the United States and the Soviet Union having the retaliatory capability of destroying the other nation if attacked by nuclear force.

I have always accepted, however, reluctantly, the logic of and necessity for this doctrine.

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But in recent years, Pentagon planners and their Soviet counterparts have gone on to develop and to sell to their national leaders an approach which I choose to call "MADDER" -- the Mutual Assured Double Doomsday Effect Race.

According to this school of thought, it is not enough to be able to destroy the other nation totally. One must be able to destroy it many times over. And if the Soviet Union should develop the capability to kill each American 150 times, but we had the capability to kill each Russian only 143 times, then they would be considered to have "superiority". What utter nonsense!

In his State of the Union address last January, President Carter pointed out, "Just one of our relatively invulnerable Poseidon submarines -- comprising less than 2% of our total nuclear force of submarines, aircraft, and land-based missiles -- carries enough warheads to destroy every large and medium-size city in the Soviet Union."

Then why, a reasonable person might ask, do we need so much more nuclear force? Why shouldn't our President simply make it clear to the Soviet Union: "If you decide to attack us, our spy satellites will immediately report your missile launchings, and I will order our nuclear submarines to wipe out every Soviet city." A grim warning, but a sure way to keep the peace and reduce the arms race.

The rebuttal to this by the arm chair military game players will astound you. But it provides a partial explanation for President Carter's asking \$122.7 billion for defense this year -- \$10.8 billion more than last year.

The MADDER argument goes something like this: suppose the Soviets, in a "first strike", shot 2,000 nuclear missiles targetted with deadly accuracy onto our 1,000 or so land-based hardened missile silos, knocking them out? Our President would supposedly hesitate to order (either before or after the Soviet strike) the destruction of all Soviet cities by our nuclear submarines. Why? Because that would make the Russians angry and then they'd really let us have it!

I'm serious. This is the logic of the MADDER advocates. The Russians are supposed to believe that after at least 2,000 Soviet bombs more powerful than that at Hiroshima are headed for or landed on our continent, causing up to 20 million instant deaths and many times that number from radiation sickness -- in fact, making most of our country essentially uninhabitable -- our President would hesitate to retaliate for fear of provoking a really serious attack!

And so, the argument goes, to avoid this "disadvantage", the Administration has now decided to spend as much as \$70 billion to develop our own super-accurate mobile ICBM, the MX. It could then "ride out" a Russian first strike by dodging, then counter-attack -- not against Russian cities but merely against the silos of their "second strike" reserve. This way, presumably, our

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two nations can have a "nuclear exchange" -- silos against silos -- and then shake hands and sign a peace treaty.

And the tragedy of the SALT II debate is that we are asked to choose between the madder SALT II agreement (in which both sides will be allowed substantial increases in their stockpiles of deliverable strategic warheads) -- and maddest of all, no-SALT, no holds barred, with the object of the "game" to see which side can bankrupt the other first with an uncontrolled arms race.

That economic bankruptcy may be closer than we think, SALT or no SALT. The annual inflation rate soared recently to a record high of 13%, and it's heading higher -- while the Administration urges holding wage increases down to 7%. Real wages have been dropping steadily since 1970. Meanwhile, the unemployment rate which has been hanging stubbornly around 6% threatens to rise to 8% within a year.

It is fashionable among the new right to explain our wildfire inflation entirely in terms of government debt and government spending.

Certainly there are wasteful, inefficient government programs that need elimination, reform, or cleaning up. But far more serious sources of inflation are the costs of energy -- interest rates -- and the billions squandered on excess nuclear defense capability.

The price of oil and natural gas affects not just the price of gasoline, but almost everything we use -- food, clothing, heating, housing. And even before the latest OPEC oil price increases, the Carter decision to deregulate gas and oil prices made continued double-digit inflation inevitable.

The Federal Reserve's 13% interest rates, a vain attempt to control inflation without increasing productivity merely tacks extra cost onto buying homes and cars as well as producing goods.

And defense dollars, lavished on non-competitive contractors who have run up \$78 billion in cost overruns, have been proven to be wildly inflationary.

In the name of national security, we have built a swaying tower of insecurity. When it comes to providing real security for our own people, the richest nation on earth has been slow in replacing poor housing, crumbling railway and public transport.

The roughly 25-million Americans living below the federal poverty level in poorly insulated homes can't even afford to keep warm in winter at today's skyrocketing fuel prices. In the Wall Street Journal, we learn that thousands of older people are dying each year from "accidental hypothermia," a rapid drop in body temperature -- in other words, they're freezing to death.

Yet John Kennedy's warning is still true that if we cannot help the many who are poor, we cannot save the few who are rich.

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The program I want for America -- the one I want to return to Washington to fight for -- is one that would deal with all of these related problems in a unified way:

- We should divert billions of dollars from useless, pointless new defense projects into crash programs for solar energy.
- We should convert many of our defense plants into solar energy and public transportation manufacturing.
- We should cut the price of public and private transportation by producing billions of gallons of alcohol from waste and surplus grains.
- Instead of slashing Amtrak train service, as the Administration has done, we should build public transportation services equal to the finest high-speed trains of Europe and Japan. And instead of letting our freight trains decline, we could make America number one in rail systems.
- It has been estimated that just 30% of what we spend for the military would create two- to five-million more jobs if invested in solar energy manufacturing and public transportation development.
- And finally, we should clamp on tough price controls and start gas rationing until the fires of inflation begin to cool.
- Then we will be able to forge a new foreign policy based on genuine relaxation of international tensions, free from anxious scrambling for Arab oil. We could provide Israel the unstinting support it needs for survival without worrying so much about what the Arab nations might think.

If I am returned to the United States Senate next year by the voters of South Dakota, my 18 years in the Senate would put me in line for influential committee assignments and chairmanships.

But I believe that as a Senator I can also provide a national leadership and a voice ranging beyond this, by speaking to and for the loose coalition of citizens' groups working for the same goals as I have outlined in this letter.

However, I face a tough reelection fight. Right-wing extremist forces across the country have pledged to raise over \$1 million to finance a "get McGovern" campaign in South Dakota. In fact, they even put out a "Target McGovern" leaflet with telescopic rifle cross-hairs centered on a bullseye target over my heart.

Because of my vocal opposition to a Constitutional amendment outlawing abortion, along with my stand on the Panama Canal, I am now listed as one of

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the five Senators the "single issue" groups and the extremists would most like to defeat in 1980.

These right-wing forces will spend heavily to defeat me. I must accumulate a substantial campaign treasury to correct the distorted impressions of me they will seek to spread among South Dakota voters.

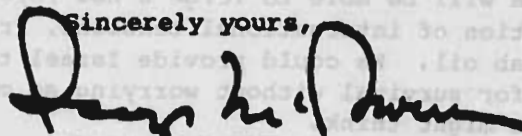
A great source of pride, satisfaction, and independence for me in the past has been the broad base of financial support I have enjoyed from small contributions of \$25 to \$100 rather than huge corporation political action committees.

So I am turning to you once again for your valued support, in the confidence that we share the same political and social outlook and that you know I will be working and fighting in Washington for your point of view.

If you agree, please send whatever you can as soon as you can. The "get McGovern" campaign in South Dakota is already under way, a year in advance. I need to start now to answer and expose their propaganda.

And I would appreciate hearing your views on the thoughts I have expressed in this letter. Like-minded people of good will must draw together, think together, and work together in the critical months and years just ahead if we are to achieve "the solar transition" to a secure society before it is too late.

Sincerely yours,



George McGovern

P.S. Let me urge you not to lay this letter aside with the intention of answering it later. The need is immediate and your financial help now can make a crucial difference. Please mail the most generous amount you can today. My special thanks!

44-950

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1333 NEW HAMPSHIRE AVENUE, N. W.
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March 31, 1980

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Reference: MUR 1189

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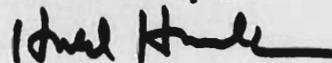
Dear Mr. Steele:

This is to notify you that we are representing the McGovern for Senate Committee in reference to the above-captioned complaint.

Your letter to the Committee was received on March 27, 1980. Accordingly, we will be filing a response with you on or before April 10, i.e., within fifteen days of receipt of your letter. We request that you take no action on this matter until you have received the response.

Please advise me if you have any questions or if there are further developments in this matter.

Sincerely yours,



Harold Himmelman

HH:aw

cc: Carolyn Weeder
Jeffrey Smith

70 APR 7 10:37

RECEIVED
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

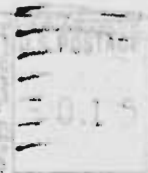
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LAW OFFICES

BEVERIDGE, FAIRBANKS & DIAMOND

333 NEW HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20036



Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED

GC # 897

LAW OFFICES
BEVERIDGE, FAIRBANKS & DIAMOND
1333 NEW HAMPSHIRE AVENUE, N. W.
WASHINGTON, D. C. 20036

TELEPHONE
(202) 828-0200
WRITER'S DIRECT DIAL NUMBER
828-0260

CARL EARDLEY
OF COUNSEL

CABLE ADDRESS
"INDLAW"

TELECOPIER
(202) 828-0234

RICHARD M. FAIRBANKS, III
HENRY L. DIAMOND
ALBERT J. BEVERIDGE, III
GARY K. BAISE
A. JAMES BARNES
HAROLD HIMMELMAN
CHRISTOPHER M. BUCKLEY, JR.
SCOTT W. BOWEN
JONATHAN Z. CANNON
JOHN N. HANSON
ANDREW E. MISHKIN
CHARLES A. PATRIZIA
CATHERINE M. DUNLAP
CYNTHIA A. LEWIS
KARL S. SOURDEAU
ROBERT S. THOMPSON
GARY I. SQUIRE
PATRICIA D. RYAN

March 31, 1980

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Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Reference: MUR 1189

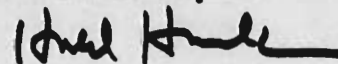
Dear Mr. Steele:

This is to notify you that we are representing the McGovern for Senate Committee in reference to the above-captioned complaint.

Your letter to the Committee was received on March 27, 1980. Accordingly, we will be filing a response with you on or before April 10, i.e., within fifteen days of receipt of your letter. We request that you take no action on this matter until you have received the response.

Please advise me if you have any questions or if there are further developments in this matter.

Sincerely yours,



Harold Himmelman

HH:aw

cc: Carolyn Weeder ✓
Jeffrey Smith

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GENERAL COUNSEL

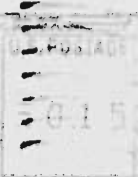
80040201589

LAW OFFICES

BEVERIDGE, FAIRBANKS & DIAMOND

1333 NEW HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20036



Ms. Carolyn Weeder
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

80 MAR 1 P12:20

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Official Business

Penalty for Private Use \$300



REASON CHECKED
Declined ☒ Refused
Unknown ☒
Insufficient Address
Moved, Left no address
No such post office in state
Do not remain in this area

RP

Hal Wick, Chairman
People for an Alternative to
McGovern
P.O. Box 1865
Sioux Falls, South Dakota 57101

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MAR 29 1980

Name
1st Notice 2-27-80
2nd Notice 4-7-80
Return 4-13-80

CERTIFIED

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RETURN RECEIPT FORM NO. 100

1. The following service is requested (check one):

☐ Show to whom and date delivered

☐ Show to whom, date, and address of delivery

☐ RESTRICTED DELIVERY

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☐ RESTRICTED DELIVERY

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(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Val Wick

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

944260

4. I have received the article described above

SIGNATURE ☐ Registered agent

5. I have received the article because:

1189 *Wick*

APR 14 1977

7/25/80

Memo to: file

from : Carolyn Weeder

Re: 1189 - letter to Complainant, Hal Wick

Letter notifying complainant of ^{the} Commission's receipt

of ^{the} complaint has been returned due to
~~being~~ a failure of being claimed. The
letter is being resent.

30040201593



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 24, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

McGovern for Senate Committee
P.O. Box 472
Washington, D.C. 20004

Re: MUR 1189

Dear Sir or Madam:

This letter is to notify you that on March 19, 1980, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of the complaint is enclosed. We have numbered this matter MUR 1189. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing that no action should be taken against your committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

80040201594

Letter to: McGovern for Senate
Committee

Page Two

If you have any questions, please contact Carolyn Weeder, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Enclosure

1. Complaint
2. Procedures

cc: Senator George McGovern

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 24, 1980

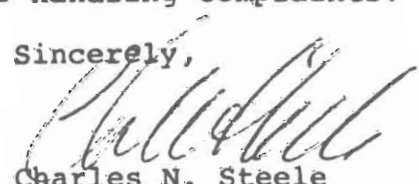
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Hal Wick, Chairman
People for an Alternative to
McGovern
P.O. Box 1865
Sioux Falls, South Dakota 57101

Dear Mr. Wick:

This letter is to acknowledge receipt of your complaint of March 5, 1980, against the McGovern for Senate Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should initially handled will be made 15 days after the respondent's notification. You will be notified as the Commission takes final action on your complaint. If you have or receive any additional information in the future, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,


Charles N. Steele
General Counsel

RETURN RECEIPT CARD

1. ARTICLE ADDRESSED TO:
Mr. Hal Wick, Chairman
People for an Alternative to
McGovern
P.O. Box 1865
Sioux Falls, S.D.
57101

2. ARTICLE DESCRIPTION:
Letter from Charles N. Steele, General Counsel, Federal Election Commission, dated March 24, 1980.

3. ADDRESS (Complete only if requested):
C. Winder

4. UNABLE TO DELIVER BECAUSE:
none

5. DATE OF DELIVERY:
4/2/80

6. SIGNATURE OF DELIVERER:
C. Winder

7. SIGNATURE OF ADDRESSEE:
Hal Wick

8. DATE OF RECEIPT:
4/2/80

9. ADDRESS OF ADDRESSEE:
Sioux Falls, S.D. 57101

10. TELEPHONE NUMBER:
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PFAAM

PEOPLE FOR AN ALTERNATIVE TO McGOVERN

P.O. Box 1865

Sioux Falls, South Dakota 57101

March 5, 1980

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

806977

Dear Commissioners:

This letter constitutes a complaint, filed with you, by the People for an Alternative to McGovern Committee, in accordance with Section 309 of the Federal Election Campaign Act of 1971, as last amended by P.L. 96-187, Act of January 8, 1980, effective January 8, 1980 (hereinafter "the Act"). All citations and references herein are to the Act, as amended.

Attached hereto is a copy of an undated, eight-page letter, prepared on the letterhead of "Senator George McGovern," which bears, upon information and belief, the signature of Senator McGovern on page eight. It will be noted that, among other things, the letter solicits contributions to the McGovern for Senate Committee. Upon information and belief, the attached letter was issued in conjunction with a direct mail program. A copy of a carrier envelope, addressed to J. H. Wenner of Camp Hill, Pennsylvania, is also attached. Enclosed with the letter was a business reply envelope and contributor card, copies of which are enclosed.

It will be noted the letter does not contain a notice as required by Section 318(a) of the Act, or as required by the Act prior to its amendment. See, 2 U.S.C. 435(b) and 2 U.S.C. 441d.

Your attention to this matter will be appreciated.
Respectfully submitted,

Sincerely,

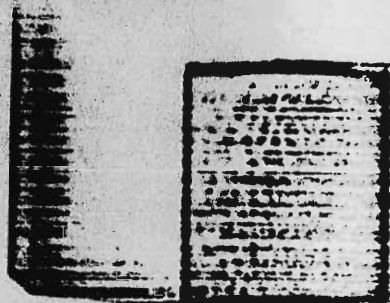
Hal Wick
Chairman

Sworn to before me this
day of March 1980.

Bea M. Nielson
Notary Public

BEA M. NIELSON, Notary Public
My Commission Expires
January 22, 1981

Senator George McGovern
WASHINGTON, D.C.



J. H. WENNER
1208 YVERDON DRIVE
CAMP HILL, PA

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Senator George McGovern
WASHINGTON, D.C.

My dear friend:

The 1980's, I am now deeply convinced, will be a turning point in American history -- comparable in magnitude to the Civil War of the 1860's and the Great Depression and New Deal of the 1930's.

America will face awesome opportunities and profound dangers that have no parallel in the past.

I am eager to be part of it -- to help our nation seize the opportunities and avoid the dangers.

To accomplish this, I will need your help once again, for reasons I will explain at the end of this letter.

But first I would like to ask a few minutes of your time to consider along with me exactly what I am talking about. Then I think you will agree with me at least on the critical importance of the years just ahead.

The opportunity at hand is to achieve in the 1980's what Barry Commoner calls "the solar transition" -- to free our nation from dependency on OPEC oil.

A recent study by the Harvard Business School entitled, "Our Energy Future," concludes that a carefully constructed, energy efficient conservation movement could save the equivalent of all the oil we are now importing from OPEC. Such a conservation effort would include the construction of energy efficient railways and urban transit; the insulation of our houses, public buildings and commercial structures; energy conserving practices in our factories, shops and office buildings; the co-generation of power and a host of other energy efficient and conserving techniques.

Beyond this, the Harvard study points to the challenging and practical applications of solar power to meet from one-fifth to one-fourth of our energy requirements.

I believe that thoughtful analysis such as the Harvard study and Barry Commoner's work points the way to a dependable, clean, workable energy future for the United States.

Unless we can find answers not now available to us as to how nuclear energy can be safely produced and its waste safely disposed of, I do not believe that we can pursue the nuclear rainbow. The risk in human lives and suffering is too great. The financial costs also seem to be violating any reasonable benefit-cost ratio.

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It doesn't matter whether the near-catastrophe at Three Mile Island was due to human failure, mechanical failure, or sabotage. The point is that avoiding a nuclear power plant disaster requires three kinds of total perfection in an imperfect world -- human perfection, mechanical perfection, and perfect security. That is virtually impossible as matters now stand.

U.S. nuclear power plants reported 2,835 "incidents" in 1978. Many were similar to the malfunctions encountered at Three Mile Island.

Now we see the President making a similar mistake in his expensive reliance on synthetic fuels from coal, oil shale, and tar sands. Its development would consume a large part of the \$88 billion investment of the President's proposed Energy Security Corporation. It would require ripping open and chewing up vast areas of public land, polluting the air, consuming huge quantities of our precious water -- and the cost of the resulting fuel is likely to be higher than the cost of the OPEC oil we are trying to get along without. The big gainers from synthetic fuels will be the oil companies who are acquiring the coal resources from which the product is made.

Of course we've got to have energy. But I most emphatically do not agree that we either should or need to resort to such desperation measures to provide it. The blunt truth is that America does not have a shortage of energy. It has a shortage of leadership.

Each year the sun beams to our planet earth, 28,000 times more solar energy than all the commercial energy used by mankind.

And we already possess the technology to make substantially more use of this endless resupply of clean, renewable energy within the next five years than we are currently planning.

The President's new energy program calls for an estimated increase of just 2% over existing solar programs by the year 2000. But look at just part of the dazzling embarrassment of riches in renewable energy technology waiting to be developed right now by a substantial common sense program.

PHOTOVOLTAIC CELLS. This is probably the simplest and potentially the cheapest form of solar energy. Sunlight striking the cell is converted directly into electricity.

Right now the problem is cost -- about \$15 per watt, compared to 50¢ to \$1.20 for conventional power plants.

But an extraordinary government study pointed to the solution. It showed that if the Pentagon would invest just \$500 million to replace its smaller gasoline generators with photovoltaic cells, on a strict cost-benefit basis, it would start a mass production/mass use cycle that could bring the cost down

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to 50¢ a watt in just 5 years. This would make it possible to produce 500,000 megawatts of power -- over 10 times as much as our presently operating nuclear power plants -- at competitive rates.

But Congress proposed an investment of only \$98 million, even that over Administration opposition -- and then the President vetoes even that much! "It is still too early," he said, "to concentrate on commercialization of photovoltaics."

WIND GENERATORS. An inventor in Allentown, Pennsylvania has developed a simple, low-cost wind turbine that has more capacity, at 60¢ a watt, than NASA's recently completed windmill at Clayton, New Mexico. And William Heronemus and his associates at the University of Massachusetts have designed offshore wind-power generators that could produce the equal of 80 nuclear power plants, more than enough to supply all of New England with power.

UNDERSEA TURBINES. The Gulf Stream contains 50 times as much energy as all the rivers of the world put together. Now an inventor has designed a system of giant undersea Gulf Stream turbines that could be built for less per watt than new coal or nuclear plants and far more quickly. Just 230 of these turbines could produce enough to supply the entire state of Florida, the equal of 10 nuclear power plants.

WATER POWER. Our country has hundreds of smaller dams which either were never harnessed or whose turbines were abandoned when other forms of power were developed. The Federal Power Commission estimates that 54,000 megawatts -- more power than we now get from all our nuclear reactors -- could be harnessed at dams that already exist but do not have turbines.

ALCOHOL. Alcohol can be distilled by fermenting almost any organic product or byproduct -- waste wood, food plant wastes, garbage, grain, sorghum cane, etc.

During the recent gasoline shortage, the whole nation suddenly became conscious of gasohol, a mixture of 90% gasoline and 10% alcohol.

But with minor modifications, gasoline engines can burn pure alcohol -- with no pollution of the atmosphere. And by determined national effort, we could replace gasoline from OPEC oil with pure alcohol in our automobiles in the foreseeable future.

Last year the United States consumed 182 billion gallons of gasoline, of which about one-half was from imported oil. A Purdue scientist has developed a way to convert plant matter into glucose, the raw materials for ethanol. He says this would make it possible to turn the nation's annual one billion tons of waste into 375 million tons of fuel grade alcohol -- that's over 90 billion gallons -- at a retail cost of about 80¢ a gallon!

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A farmer-scientist in Minnesota, using a homemade solar-heat distillery, turned 45,000 bushels of surplus corn into 225,000 gallons of alcohol. And the leftover fermented mash which was fed to livestock is more nutritious than the corn from which it was made.

Using his technology, our annual crop of 7 billion bushels of corn and the corn silage could be converted to as much as 35 billion gallons of alcohol.

To support farm prices, the Agriculture Department has been paying American farmers \$1 billion a year not to grow crops on 13 million acres of "set aside" land. But if we removed this restriction and instead gave farmers an incentive to plant this idle land in sweet sorghum, this could yield another 25 billion gallons of alcohol a year. And we could use the present \$1 billion subsidy to finance the construction of thousands of small town and farm distilleries to produce the alcohol.

I am convinced this program alone could entirely eliminate our OPEC oil imports to zero within five years -- instead of merely reducing them to 4.5 million barrels a day by 1990 -- the goal set by the President.

Finally, I want to talk to you about another grave threat we face in the months and years ahead, one with which I have struggled through out my seventeen years in the United States Senate. And that is the dual threat of being destroyed from without by nuclear war or from within by the unsupportable burden of a crushing nuclear war budget.

The incident at Harrisburg, for all the anxiety and anguish and possible cancer cases it may have caused, may actually turn out to have been a blessing in disguise.

Not only may it have awakened the American people to the danger of nuclear energy, it may also have given the public a new perspective on the total absurdity of our nuclear defense budget. For the military planners at the Pentagon now accept as thinkable not just the equivalent of a thousand Harrisburg meltdowns across America -- but a thousand Hiroshimas.

During the Eisenhower-Dulles years, our defense planners developed the doctrine which they call "MAD", standing for Mutual Assured Destruction.

It meant simply that our best hope for peace and survival in the nuclear age lay in both the United States and the Soviet Union having the retaliatory capability of destroying the other nation if attacked by nuclear force.

I have always accepted, however, reluctantly, the logic of and necessity for this doctrine.

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But in recent years, Pentagon planners and their Soviet counterparts have gone on to develop and to sell to their national leaders an approach which I choose to call "MADDER" -- the Mutual Assured Double Doomsday Effect Race.

According to this school of thought, it is not enough to be able to destroy the other nation totally. One must be able to destroy it many times over. And if the Soviet Union should develop the capability to kill each American 150 times, but we had the capability to kill each Russian only 145 times, then they would be considered to have "superiority". What utter nonsense!

In his State of the Union address last January, President Carter pointed out, "Just one of our relatively invulnerable Poseidon submarines -- comprising less than 2% of our total nuclear force of submarines, aircraft, and land-based missiles -- carries enough warheads to destroy every large and medium-size city in the Soviet Union."

Then why, a reasonable person might ask, do we need so much more nuclear force? Why shouldn't our President simply make it clear to the Soviet Union: "If you decide to attack us, our spy satellites will immediately report your missile launchings, and I will order our nuclear submarines to wipe out every Soviet city." A grim warning, but a sure way to keep the peace and reduce the arms race.

The rebuttal to this by the arm chair military game players will astound you. But it provides a partial explanation for President Carter's asking \$122.7 billion for defense this year -- \$10.8 billion more than last year.

The MADDER argument goes something like this: suppose the Soviets, in a "first strike", shot 2,000 nuclear missiles targetted with deadly accuracy onto our 1,000 or so land-based hardened missile silos, knocking them out? Our President would supposedly hesitate to order (either before or after the Soviet strike) the destruction of all Soviet cities by our nuclear submarines. Why? Because that would make the Russians angry and then they'd really let us have it!

I'm serious. This is the logic of the MADDER advocates. The Russians are supposed to believe that after at least 2,000 Soviet bombs more powerful than that at Hiroshima are headed for or landed on our continent, causing up to 20 million instant deaths and many times that number from radiation sickness -- in fact, making most of our country essentially uninhabitable -- our President would hesitate to retaliate for fear of provoking a really serious attack!

And so, the argument goes, to avoid this "disadvantage", the Administration has now decided to spend as much as \$70 billion to develop our own super-accurate mobile ICBM, the MX. It could then "ride out" a Russian first strike by dodging, then counter-attack -- not against Russian cities but merely against the silos of their "second strike" reserve. This way, presumably, our

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two nations can have a "nuclear exchange" -- silos against silos -- and then shake hands and sign a peace treaty.

And the tragedy of the SALT II debate is that we are asked to choose between the madder SALT II agreement (in which both sides will be allowed substantial increases in their stockpiles of deliverable strategic warheads) -- and maddest of all, no-SALT, no holds barred, with the object of the "game" to see which side can bankrupt the other first with an uncontrolled arms race.

That economic bankruptcy may be closer than we think, SALT or no SALT. The annual inflation rate soared recently to a record high of 13%, and it's heading higher -- while the Administration urges holding wage increases down to 7%. Real wages have been dropping steadily since 1970. Meanwhile, the unemployment rate which has been hanging stubbornly around 6% threatens to rise to 8% within a year.

It is fashionable among the new right to explain our wildfire inflation entirely in terms of government debt and government spending.

Certainly there are wasteful, inefficient government programs that need elimination, reform, or cleaning up. But far more serious sources of inflation are the costs of energy -- interest rates -- and the billions squandered on excess nuclear defense capability.

The price of oil and natural gas affects not just the price of gasoline, but almost everything we use -- food, clothing, heating, housing. And even before the latest OPEC oil price increases, the Carter decision to deregulate gas and oil prices made continued double-digit inflation inevitable.

The Federal Reserve's 13% interest rates, a vain attempt to control inflation without increasing productivity merely tacks extra cost onto buying homes and cars as well as producing goods.

And defense dollars, lavished on non-competitive contractors who have run up \$78 billion in cost overruns, have been proven to be wildly inflationary.

In the name of national security, we have built a swaying tower of insecurity. When it comes to providing real security for our own people, the richest nation on earth has been slow in replacing poor housing, crumbling railway and public transport.

The roughly 25-million Americans living below the federal poverty level in poorly insulated homes can't even afford to keep warm in winter at today's skyrocketing fuel prices. In the Wall Street Journal, we learn that thousands of older people are dying each year from "accidental hypothermia," a rapid drop in body temperature -- in other words, they're freezing to death.

Yet John Kennedy's warning is still true that if we cannot help the many who are poor, we cannot save the few who are rich.

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The program I want for America -- the one I want to return to Washington to fight for -- is one that would deal with all of these related problems in a unified way:

- We should divert billions of dollars from useless, pointless new defense projects into crash programs for solar energy.
- We should convert many of our defense plants into solar energy and public transportation manufacturing.
- We should cut the price of public and private transportation by producing billions of gallons of alcohol from waste and surplus grains.
- Instead of slashing Amtrak train service, as the Administration has done, we should build public transportation services equal to the finest high-speed trains of Europe and Japan. And instead of letting our freight trains decline, we could make America number one in rail systems.
- It has been estimated that just 30% of what we spend for the military would create two- to five-million more jobs if invested in solar energy manufacturing and public transportation development.
- And finally, we should clamp on tough price controls and start gas rationing until the fires of inflation begin to cool.
- Then we will be able to forge a new foreign policy based on genuine relaxation of international tensions, free from anxious scrambling for Arab oil. We could provide Israel the unstinting support it needs for survival without worrying so much about what the Arab nations might think.

If I am returned to the United States Senate next year by the voters of South Dakota, my 18 years in the Senate would put me in line for influential committee assignments and chairmanships.

But I believe that as a Senator I can also provide a national leadership and a voice ranging beyond this, by speaking to and for the loose coalition of citizens' groups working for the same goals as I have outlined in this letter.

However, I face a tough reelection fight. Right-wing extremist forces across the country have pledged to raise over \$1 million to finance a "get McGovern" campaign in South Dakota. In fact, they even put out a "Target McGovern" leaflet with telescopic rifle cross-hairs centered on a bullseye target over my heart.

Because of my vocal opposition to a Constitutional amendment outlawing abortion, along with my stand on the Panama Canal, I am now listed as one of

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the five Senators the "single issue" groups and the extremists would most like to defeat in 1980.

These right-wing forces will spend heavily to defeat me. I must accumulate a substantial campaign treasury to correct the distorted impressions of me they will seek to spread among South Dakota voters.

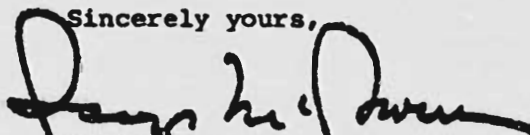
A great source of pride, satisfaction, and independence for me in the past has been the broad base of financial support I have enjoyed from small contributions of \$25 to \$100 rather than huge corporation political action committees.

So I am turning to you once again for your valued support, in the confidence that we share the same political and social outlook and that you know I will be working and fighting in Washington for your point of view.

If you agree, please send whatever you can as soon as you can. The "get McGovern" campaign in South Dakota is already under way, a year in advance. I need to start now to answer and expose their propaganda.

And I would appreciate hearing your views on the thoughts I have expressed in this letter. Like-minded people of good will must draw together, think together, and work together in the critical months and years just ahead if we are to achieve "the solar transition" to a secure society before it is too late.

Sincerely yours,



George McGovern

P.S. Let me urge you not to lay this letter aside with the intention of answering it later. The need is immediate and your financial help now can make a crucial difference. Please mail the most generous amount you can today. My special thanks!

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McGovern for Senate Committee
P.O. Box 472
Washington, D.C. 20004



Dear Senator McGovern . . .

I want to help you return to the United States Senate. We need your brand of independence now more than ever. I am enclosing a check for:

☐ \$20 ☐ \$30 ☐ \$50 ☐ \$100 ☐ \$250 ☐ Other \$_____

Name _____

Address _____

City _____ State _____ Zip _____

The Federal Election Commission requires us to request the following information.

Occupation _____

Place where employed _____

Please make checks payable to McGovern for Senate Committee and return to P.O. Box 472, Washington, D.C. 20004

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

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PEOPLE FOR AN ALTERNATIVE TO McGOVERN

P.O. Box 1866
Sioux Falls, South Dakota 57101



FEDERAL ELECTION Commission
1325 K STREET, N.W.
WASHINGTON, D.C. 20463



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20543

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